Breaking the Circle—*Freda Kirchwey*

THE *Nation*

November 24, 1951

Ethics in Government

Cynics and Feeble Good Men

BY H. H. WILSON

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Expediency Above Principle

The Record of J. Howard McGrath

BY FOWLER HARPER

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Valhalla Rebuilt - - - - - - - - - - - - - - - - *Carolus*

Florida: Murder Without Indictment - - *Stetson Kennedy*

"The Miracle" Case - - - - - - - - - - *Margaret Marshall*

Germany Comes to Dinner - - - - - *J. Alvarez del Vayo*

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AROUND THE U. S. A.

Honor Thy Informer!

Cambridge, Massachusetts

THE sparks that flew when the Supreme Court tempered the Smith act have started a fire in the native state of the late Justice Oliver Wendell Holmes.

Dirk J. Struik, professor of mathematics at the Massachusetts Institute of Technology, and Harry E. Winner, executive of a Malden rubber company, were indicted on September 13 by a Middlesex County grand jury on charges of conspiring to advocate the overthrow of the governments of Massachusetts and the United States. A third indictment charged Struik with simple advocacy. Mrs. Margaret Gilbert, formerly of Cambridge, Massachusetts, was arraigned later in Chicago on a secret conspiracy indictment. A fourth alleged conspirator, Mrs. Martha Fletcher, is in France. The penalties provided for the offenses with which they are charged are a maximum of three years in prison and a fine. Bail for Struik and Winner was set at $10,000 each. These are the first indictments under a 1919 anti-anarchy statute, amended in 1948, barring persons convicted of violating it from teaching or administrative positions in schools or colleges. They are among the first state sedition prosecutions in our history.

The cases appear to hang on the word of a Melrose advertising man, Herbert A. Philbrick, an FBI informer for nine years, who testified at the Foley Square trial of the eleven Communist leaders in April, 1949, that Struik once lectured at the home of Mrs. Gilbert on Lenin's "The State and Revolution." Philbrick also said Mrs. Fletcher had advocated popular revolt in the event of war between the United States and Russia. She has denied his charges.

Philbrick first mentioned Winner publicly last July, when he told the House Un-American Activities Committee that Struik, Winner, and he had been members of a secretly Communist professional group in Cambridge which avoided membership in the party. What he told the grand jury is not known, but there is no open evidence that he has ever accused Struik or Winner of advocating or conspiring to advocate the overthrow of the government. Struik does not recall him, and Winner knew him only slightly.

Twice in twenty-nine months District Attorney George E. Thompson of Middlesex County has announced that he was investigating possible violation by Struik of the state teachers'-loyalty-oath law. Nothing happened either time. There has been speculation why, if Struik and the others were plotting in 1947, the initial date given in the indictments, the state failed to act until more than four years later and the FBI has not moved at all. The job Thompson holds has in the past been a reputation-maker for Republicans seeking higher office. And the G. O. P. cupboard is about bare of candidates for next year's elections. It is reported that Thompson will deviate from his practice and try the case in person. No date for the trial has been set.

A noted geometrician, Struik was invited to M. I. T. from his native Holland in 1926 and became professor of geometry there in 1940. He is an editor of the Marxist periodical *Science and Society*, an executive of the Massachusetts Council for American-Soviet Friendship, a local Progressive Party leader, a former trustee and science lecturer at the Marxist Jefferson School in New York, and a founder and faculty member of the now defunct Samuel Adams School for Social Studies in Boston. He is the author of several books on geometry and of the delightful "Yankee Science in the Making."

Struik has expounded Marxism and socialism most of his life. He believes an accord with Russia is the key to peace, and he does not try to hide the coincidence of many of his aims with those of the Communist Party, which, he adds, he never joined, though he once considered it.

President James R. Killian, Jr., of M. I. T. said in 1949 and again last July that there was no evidence Struik had tried "improperly" to influence his students or colleagues and that he would be presumed innocent of any crime until proved guilty—with this catch: an indictment would bring suspension. It did.

Winner, strange to say, is a successful small business man and respected community leader. A self-taught Marxist who never attended college, he has sought to translate a rather consuming sympathy with the underdog into community action. He too has been suspended from his job with pay.

Defense committees are being formed in behalf of both men. Struik's counsel is Oliver S. Allen, a civil-liberties-minded Boston attorney who has headed the state Progressive Party and who in 1946 was defeated for Congress on the Democratic ticket. Winner's lawyer is Hubert C. Thompson, former assistant United States attorney in Boston.

The indictments have whetted the appetites of witch hunters. Elements of the Boston press have long been keen in the pursuit of political heretics. Harvard and M. I. T. are ancient targets of a lively anti-intellectualism. The legislature has been swamped with a flood of restrictive measures, the strongest not yet passed but patterned after Maryland's Ober law. It has designated November 27 as "Herbert A. Philbrick Day" throughout the state. Struik and Winner have had few voices raised for them publicly.

Both prosecution and defense have been dutifully wading through Marxist literature. Struik says that on the few occasions he discussed "The State and Revolution" he confined himself to comments on Lenin's historical concept of the state. The Supreme Court's decision in its review of the Schneiderman case in 1943—the only time it has scanned the body of Marxist writings—may be significant: Justice Murphy voiced the majority opinion that Marxists justified the use of violence only as a means of preventing a counter-revolution or if constitutional or peaceful channels for establishing their program were closed. Since membership in the Communist Party is not here charged or admitted, an opportunity will be afforded the courts to ponder again the meaning of clear and present danger.

The spotlight has been fixed on Professor Struik because of the dramatic issue of academic freedom in his case. But Winner's predicament is more disturbing because he is an ordinary citizen with radical views.

JOSEPH E. GARLAND

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THE Nation

AMERICA'S LEADING LIBERAL WEEKLY SINCE 1865

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The Shape of Things

THE CURRENT FASHION OF INSISTING THAT priority should be given to those social reforms that are important in "the fight against communism"—as if social justice were merely a tactic—has never been popular at *The Nation*. Nevertheless it is appropriate, we feel, to call attention to the effective use that Soviet Foreign Minister Andrei Vishinsky made of the case of the two Florida Negroes discussed by Stetson Kennedy in this issue. "This," said Vishinsky before the Assembly of the United Nations in Paris, "is human rights in the United States." Dr. Channing Tobias attempted to reply by saying, as a member of the United States delegation and a Negro, that American Negroes were making progress toward full equality despite occasional lynchings, discrimination, and segregation. After all, he added, such incidents occur in the United States in defiance of law and not through law. Unfortunately, the facts of the Florida case refute this statement: it was the "law" that shot down the two Negroes. For some offenses there is no excuse, and this is one of them. Dr. Tobias would have shown more skill in international public relations if he had said just this. Even more effective would have been a statement from President Truman, in Florida at the time, castigating the local and state officials and pledging the full influence of his office to induce the Department of Justice to act if the local and state authorities did not. Mr. Truman may have taken such action—*The Nation* suggested it by wire. If he did, it should be made public. We would like to have Mr. Vishinsky hear about it.

*

FRANCE, LIKE BRITAIN, HAS BEEN FORCED TO take drastic action to check the deterioration in its balance of payments. In the second half of 1950 its combined dollar and sterling deficit was at the rate of $40,000,000 a month, offset by surpluses in other currencies; the average for July and August this year was $104,000,000, and at the same time France has incurred a large deficit with the European Payments Union. As a result, French dollar reserves are approaching exhaustion—one report estimates them as well below $200,000,000—and although the Bank of France has a gold reserve of $547,000,000, that could hardly be touched without precipitating a financial panic. In an effort to reduce the trade deficit the French government has decreed a cutback in dollar imports to $500,000,000 annually, which compares with a current program of $825,000,000. This, however, is a dangerous remedy, since French purchases in the dollar area are mainly raw materials—coal, oil, cotton, and copper—supplies of which are already inadequate to meet defense and civilian needs. If output of consumer goods is reduced as a result, internal inflation, which is already getting out of hand, will be given a new fillip. That would probably lead to more industrial unrest and a succession of political crises. In Paris, government officials complain that their troubles have been aggravated by the failure of Washington to make available to France aid promised a year ago when the French defense budget was increased, at American urging, by nearly 50 per cent. Washington denies this, but the fact is that although we have been shipping considerable quantities of tanks and guns to France, we have neglected the more urgent necessity to support the French economy, which is far from sturdy enough to bear its scheduled rearmament load.

*

A WAITING POPULACE LAST WEEK WITNESSED the unveiling of Robert A. Taft's master-work, "A Foreign Policy for Americans," a slender compilation of old speeches put between board covers as a campaign document. By the time its author had explained to a press conference what he had meant in saying this or that, the feeling was still strong that Taft is no Vandenberg. He continued to give an extraordinary impression of a man arguing with himself, and though he hotly denies that he is or ever has been an isolationist, he is certainly no more than a "yes, but" internationalist. No, he does not now oppose the Atlantic alliance, although he voted against it. No, he does not oppose Point Four aid to foreign countries, viewed as "charity," but he doesn't think much of the idea that we can or should help raise the standard of living of other peoples. No, he doesn't really deny that the Soviet Union is capable of attacking us with atom bombs, although on page 101 of his book he expresses doubt on the matter, but he would not go so far as to state categorically that Russia has both bombs and the planes to carry them. No, he is not really sure we should not have intervened in Korea, but the President should have done it differently, and Taft awaits with interest General MacArthur's comments on his book, "so I can see where I've gone wrong." All of this seems accurately characterized by Senator McMahon's phrase "dynamic negativism."

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• IN THIS ISSUE •

EDITORIALS

The Shape of Things 433
Breaking the Circle *by Freda Kirchwey* 435

ARTICLES

When MacArthur Remained Silent *by Richard L. Neuberger* 436
Germany Comes to Dinner *by J. Alvarez del Vayo* 437
Cynics and Feeble Good Men *by H. H. Wilson* 438
The Record of J. Howard McGrath *by Fowler Harper* 441
Florida: Murder Without Indictment *by Stetson Kennedy* 444
The Battle for Free Schools: Jim Crow in Education *by Horace Mann Bond and Morton Puner* 446
Valhalla Rebuilt *by Carolus* 449

BOOKS AND THE ARTS

Notes by the Way *by Margaret Marshall* 451
Foreign Policy and Congress *by Willard Shelton* 452
First Novel *by Harvey Swados* 453
To Italy and Back *by Frances Keene* 453
Before Columbus *by Mildred Adams* 454
The Views of Nehru *by W. Norman Brown* 455
Books in Brief 456
Films *by Manny Farber* 457
Music *by B. H. Haggin* 458

LETTERS TO THE EDITORS 459

CROSSWORD PUZZLE No. 440 *by Frank W. Lewis* opposite 460

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THE EAST COAST-WEST COAST COMBINATION that beat Taft in the 1948 Republican convention came into play again when Governor Warren of California announced his candidacy for the Presidential nomination. New York, Massachusetts, and other Eastern delegations will support General Eisenhower if he allows it. Warren is first of all for Warren, but he is also definitely anti-Taft; he said in his announcement that Republicans cannot hope to win the next election "solely on the mistakes of the present twenty-year Administration, many though they are. . . . The Republican Party must present a definite constructive and workable program." Taft at present has the support only of the Midwestern bitter-enders, plus "captive" Southern Republicans, plus Joe McCarthy and former Republican National Committeeman Thomas R. Coleman of Wisconsin. Taft had stolen McCarthy from Harold E. Stassen, but he has not yet won over other Republicans who in 1948 felt that Governor Dewey offered a better bet. Taft is catching up with history. But history keeps moving, too, and "yes, but" is a sorry slogan.

*

ELMER RICE, PULITZER PRIZE PLAYWRIGHT, has advanced the campaign against McCarthyism in radio at least a hedgerow or two by courageously ending his association with the Celanese Theater on the ground that artists appearing on the program must first be "cleared" by the attorney for Ellington and Company, who represent the sponsor. Mr. Rice's contract for the production of "Counselor-at-Law" stipulated that he should have an active voice in casting. He had at first thought of Paul Muni or Gregory Peck for the leading role but later suggested John Garfield—whose name, incidentally, was brought into the story by persons other than Mr. Rice. The attorney, A. Walter Socolaw, refused to "clear" Garfield, who had denied under oath before the House Committee on Un-American Activities that he was a Communist. From a conference with Socolaw, Mr. Rice concluded that the attorney "conducts an inquiry into the alleged political opinions and activities of the actors and bases his acceptance or rejection upon his judgment of the propriety of their political beliefs." In the course of the conference Socolaw admitted that he was "under pressure from the publishers of 'Red Channels.'" Mr. Rice's blunt charges provoked, of course, a fine spasm of squirming. The advertising agency first sought to duck responsibility by saying that it merely "approved" the cast, then added, as an afterthought, "But when you get somebody who may cause a lot of bad publicity for your program, you do have to be a little careful. It's an ordinary business safeguard." Mr. Socolaw's contribution to this rationalization was even less convincing: he denied that he possessed a copy of "Red Channels." It would be equally plausible to assume that Ford Frick, baseball's commissioner, operates without a list of ineligible players.

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THE ACTOR'S EQUITY ASSOCIATION HAS JUST won a smashing victory against segregation in the nation's capital. In 1947 Equity notified the National Theater that after May 31, 1948, its members would not be permitted to perform there unless the theater admitted Negroes to its audience as it did to its stage. The National was turned into a motion-picture house; the rule of segregation remained. Now comes the announcement that Aldrich and Myers, New York theatrical producers, have leased the National Theater, that legitimate stage productions will be resumed, and that segregation will be abolished. It was time.

Breaking the Circle

BY FREDA KIRCHWEY

A CIRCLE broken at any point ceases to be a circle; continuity interrupted, a new direction becomes possible. Suddenly, after a seemingly endless period of stalemate and confusion, it looks as if the fighting in Korea might be stopped. The U. N. formula proposed last Saturday seemed as the week began to stand a chance of acceptance. The vicious circle of hostility and tension may be broken at Panmunjom.

What happened last week is not yet clear. But apparently the talks at Panmunjom had degenerated into such a mishmash of accusations, denials, near-agreements, new conditions, and threatened breakdowns that a world-wide revulsion occurred. At almost the same second soldiers struggling to gain or hold a hilltop in Korea, politicians in London, and U. N. delegates at Paris decided that the haggling must end, that men could not be asked to go on dying over insignificant differences or last-minute demands. For weeks the actual line of contact had been accepted by both sides as the cease-fire line. What remained were confusing disputes over such issues as whether the line should be set immediately or, as the U. N. insisted, only after the other conditions for an armistice had been agreed upon; whether or not active fighting should continue after the cease-fire line had been fixed; how to prevent the regrouping and reinforcement of military forces during an armistice.

Since the new delays had obviously resulted from objections raised by the Allied negotiators, U. N. soldiers in Korea began to ask questions. Many men of all ranks became convinced, as George Barrett reported in the New York *Times,* that "their own commanders for reasons unknown to the troops," were "throwing up blocks against an agreement." Whatever the real complications might be, said Mr. Barrett, "most of the circuitous proceedings and extensions of argument that have marked the meetings at Kaesong and Panmunjom are lost on the troops who have to fight the war. In most of the gatherings observed, the United Nations truce team has created the impression that it switches its stand whenever the Communists indicate they might go along with it." These doubts were echoed in Britain, where press and politicians began to demand an end to the deadlock and to ask, belatedly, why only Americans were included in the negotiating team.

Last week's announcement by Colonel James M. Hanley of the killing of 5,500 U. N. war prisoners by the Chinese may have been as fortuitous as it seemed or it may have been aimed at improving the American position at Panmunjom. The report would naturally arouse bitter and legitimate anger among people of all nations with contingents in Korea and fortify the argument that no cease-fire should be ordered until all remaining U. N. prisoners had been exchanged. But this effect, if it was intended, was blurred by the news that neither General Ridgway nor the Pentagon was aware of the report or responsible for its release; nor was the President or the State Department. And while General Ridgway has since okayed Colonel Hanley's figures, they are being treated merely as new evidence of well-known Communist brutality—although no attempt has been made to explain why killings supposed to have taken place over a period of almost a year and a half had not been reported or protested against before now. What seems to have happened was a major and most heartless blunder by an officer who may have had his own ideas about how to influence truce negotiations. What remains is for an anxious public to demand a further, and strictly impartial, investigation into the Hanley figures, which were described by General Ridgway's public information officer, Colonel George P. Welch, as "maximum approximations rather than evaluated total," and which Peking has of course flatly denied.

Whatever part the atrocity story may have played, it did not prevent the steps which within two days produced the new U. N. truce formula. Last Friday in Washington Assistant Secretary of State Hickerson made a report to the representatives of the other U. N. nations with troops in Korea on the state of the truce negotiations and outlined the proposals about to be made. Presumably they were drawn up by the Americans and merely presented to their allies. But one can take it for granted that the attitude of those allies forced Washington to abandon the point it had most firmly insisted upon, namely, that the fixing of a cease-fire line should be put off until the other items on the agenda had been disposed of. The very day the meeting in Washington was reported, a story by the chief London correspondent of the New York *Times,* Raymond Daniell, described the growing "disquiet" in London over the failure of the negotiations to achieve a truce. "The question is being raised," he said, "whether it is American or Communist intransigence that is at fault." While the government "has declared its confidence in General Ridg-

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way and his negotiations, the fact is that the British people are beginning to question whether that confidence is well placed."

The new proposal, drafted in Washington not Tokyo, makes one important concession to the Communists. If the other conditions for an armistice are agreed upon within thirty days, the present line of contact will become the actual armistice line, the armies withdrawing two kilometers on each side to form a neutral zone. In other words, even if the battle line should shift in the interval, it would revert to its present position. Meanwhile it is provided that "hostilities will continue until the signing of the armistice agreement"—a point which permits U. N. attacks on Communist installations and troop movements. Theoretically it permits ground fighting as well, but nobody seriously believes that troops on either side will fight for positions which must be relinquished if an armistice is signed. The final provision that if an armistice is not agreed upon within thirty days the line again becomes movable—a matter for further negotiation—was put forward without threat.

Perhaps the offer will have been acted upon before these words are published. If it has served to break the circle at its most inflamed point, one can hope that tension will be somewhat relieved at every other point. The problems lying beyond an armistice in Korea are larger and more complex than those which have stalled the truce negotiators. That we fully recognize. But while the war lasts they cannot even be approached. Only when the killing ends can such issues as Formosa and the recognition of Peking, or the role of Japan in Asia, or the future of Korea itself, be discussed in the light of reality. Even the conflicts of interest in Europe remain beyond sensible negotiation while East and West slug it out over Korea's battered corpse. The first requirement is peace.

When MacArthur Remained Silent

BY RICHARD L. NEUBERGER

Portland, Oregon, November 16

GENERAL DOUGLAS MACARTHUR, who is ready to deliver a speech at the drop of a gold-braided hat, didn't deliver one in Portland this week, and he may hear about it when he sheds lugubrious tears for men sent into battle.

It occurred at the sprawling hospital of the United States Veterans' Administration. A panel of microphones awaited the General's arrival. Some were hooked to broadcasting stations. Others funneled through the wards and rooms of the hospital's many wings. Patients were ready with bedside earphones as the cavalcade of Cadillacs roared into the plaza in front of the administration building.

The General alighted and commenced shaking hands with officials, doctors, and patients gathered outside. Of course, it was apparent that the more serious invalided veterans remained inside the hospital. Some could be seen through the windows. Twice Dr. Harry E. Bank, manager of the hospital, told General MacArthur a talk by him was eagerly anticipated by the ex-soldiers in the wards and corridors of the hospital. Both times MacArthur waved aside the doctor. Finally an army colonel urged MacArthur to "say a few words so the patients inside the hospital can hear you."

"I am not prepared to say anything," replied MacArthur.

Suddenly someone in ostensible authority shouted to the photographers: "That's all. Finish your pictures."

MacArthur stepped into his car and was whisked away. The *Oregonian* described the scene as follows: "The big hospital buildings where patients watched behind closed windows were silent. The bedridden neither saw nor heard the 'Old Soldier.' "

E. C. Sammons, staunch Republican and chairman of the MacArthur Reception Committee in Portland, insisted he had made full arrangements with MacArthur for a talk at the Veterans' Hospital which could be piped through all the halls and chambers of the institution. Some of MacArthur's more rabid local partisans dismiss this on the ground that Sammons, a leading banker, is an intimate friend of the state's liberal junior Senator, Wayne L. Morse.

Petitions have already been filed to place MacArthur on the ballot for the Presidential preference primary of May, 1952. Adherents of General Eisenhower now believe that the "Old Soldier's" unexplained silence at the Veterans' Hospital has finished him off as a political threat in Oregon.

Indeed, MacArthur's whole trip to the Pacific Northwest, arranged originally by Senator Harry P. Cain of Washington, can only be regarded as a complete bust. He nearly wrecked a long-planned centennial celebration by the city of Seattle when, instead of talking about Seattle and its dynamic future, he assailed every policy ever announced or carried out by the Truman Administration. Representative Henry M. Jackson said he could not decide whether the event marked the 100th anniversary of Seattle or the 100th anniversary of opponents of Harry S. Truman. The Centennial Committee was decimated the next day by resignations. In addition, the University of Washington found itself greatly embarrassed because the pavilion had been made the forum for a political address, which is contrary to campus rules.

Much of MacArthur's Seattle speech was a rehash of previous attacks on the Administration. However, he waded into particularly perilous shoals, for him, when he went all-out in denouncing the President's alleged effort to conceal political mistakes "behind a cloak of

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national-security news blackouts." Even newspapers which have been virulently critical of White House censorship policies felt this was a case of a very big caldron calling a very small skillet black.

"It was ludicrous to find MacArthur posing as the great defender of a free press," declared the *Daily Journal* of Portland. "As supreme commander in the Pacific, MacArthur maintained the most rigid censorship over the news of all World War II commanders. . . . He held only four press conferences in three years, and they were off the record. His famous communiqués were so worded that they consistently exalted the role of MacArthur and reduced the roles of other generals and admirals under his command."

The net effect of the MacArthur pilgrimage to this region has been to reduce not only his own stature but that of those associated with him. Neutral political observers believe that Senator Cain is almost certain to be eliminated next year, probably by Representative Jackson, a youthful lawyer of Scandinavian background who has made an outstanding record in the House of Representatives. "If we could bring MacArthur out here in 1952 to stump the whole state for Cain, things would look still better for us," remarked one Jackson supporter.

So far as the Pacific Northwest is concerned, it begins to look as if the "Old Soldier" faded away when he should have talked and kept on talking when he should have faded away.

Germany Comes to Dinner

BY J. ALVAREZ DEL VAYO

Paris, November 15

THE Moroccan question has been buried for the present in the General Committee, though it may be brought to life again when the full Assembly discusses the agenda. The general debate practically closed with Secretary Eden's balanced, sober speech, which was warmly received both as an indirect rebuke to the vitriolic language employed by the chief antagonists and as an indication of the line Churchill might be expected to advocate in his coming visit to Mr. Truman. The next interesting story will be about Germany and the U. N.'s new vedette, Chancellor Adenauer. West Germany is in a way already "in" the United Nations, whether or not it is formally a member. Dr. Herbert Blankenhorn and Herr Alexander Boker made a modest entrance into the Palais de Chaillot as "observers," but now they act as if they were part owners. When Dr. Adenauer arrives, the Bonn government will be represented by its major figure, one of the shrewdest politicians on the international scene.

In the past few weeks Dr. Adenauer has had success after success. The contractual agreement between the three Western occupying powers and the Federated Republic has been modified to the satisfaction of the Germans. It spells the end of the occupation statute, the restoration of German sovereignty, the recognition of Germany's right to rearm. A few points remain to be ironed out, such as the size of the German units and their status in the Atlantic defense force, but these are of minor importance and do not obscure the fact that Germany has recovered at one stroke a position which it could hardly have dreamed of attaining before twenty or thirty years had elapsed.

It would be unfair to the French to suppose them indifferent to this development. However great their economic dependence on the United States, however desperate their need for dollars to prevent the collapse of the franc, they cannot look on unmoved while Germany regains its strength with such terrifying speed. The subject of Germany has obtruded itself into almost every conversation I have had since I came to France three months ago. I believe France would almost welcome a Russian ultimatum on German rearmament—or at least something stiffer than the statements Moscow has been issuing largely for propaganda purposes—in the hope that the threat of war might cause the Americans to revise their approach to the German problem.

The French feel isolated in this matter. They do not know where to look for support for their contention that Bonn should be kept in its place. They are extremely anxious about what decisions will be taken when Chancellor Adenauer meets with the Western Foreign Secretaries in Paris, for Mr. Acheson is reported to be ready to go to any lengths to offset the difficulties that General Eisenhower has run up against in France, Italy, Holland, and even Great Britain, and Mr. Eden will be thinking of Churchill's expected efforts to obtain a new lend-lease agreement from Washington in January.

Chancellor Adenauer is in a hurry. Herr Grotewohl's acceptance of free elections for all Germany has opened his eyes to the dangers in Grotewohl's Moscow-inspired offer of unity, which has had its ups and downs but retains considerable attraction for West Germans. Moving rapidly and skilfully, Adenauer has persuaded the Western Allies to place the question of German elections on the agenda of the Assembly, although Article 107 of the Charter excludes occupied countries from the jurisdiction of the United Nations.

Dr. Adenauer is coming to Paris primarily to prevent any eventual four-power compromise which might authorize a revival of the Allied Control Council. That is what Bonn fears most of all. But he has another purpose, too. He believes that the surest way to defeat Grotewohl's campaign for the unification of Germany is to throw into the ring an issue about which Germans feel just as passionately as they do about unity—the return of the terri-

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tory now in Poland's possession. Adenauer hopes to obtain from Acheson an "agreement in principle" that Germany's claim to its old provinces beyond the Oder-Neisse line will some day be satisfied.

Since the Washington conference—of Acheson, Morrison, and Schuman—Germany's attitude has stiffened. German diplomats keep their ears open, and they have noted every statement made by American Senators, Congressmen, and Administration spokesmen about Germany being "indispensable," and every declaration by European politicians that "it is not possible to rebuild Europe without Germany." German confidence has been strengthened by a number of recent events. President Truman's announced intention to appoint an ambassador to the Vatican gave tremendous encouragement to Catholic elements in the Bonn government, including the Chancellor himself. If a Protestant like Truman, the President of a predominantly Protestant country, is so eager to please the Catholic church, the Christian Democrats of Germany feel they can face the future with assurance.

Thus the price set by Bonn for its future contribution to the Atlantic alliance is constantly being raised. If people in the United States think the price is "equal rights," they have not kept up with the times. What Adenauer now demands, and Schumacher also—in this the two go along together—is the return of the territory ceded to Poland. The gravity of the problem cannot be exaggerated. It immensely complicates the international situation, bars a reconciliation with Russia, contains the seeds of a third world war.

In an off-record talk one of the most distinguished Western delegates to this Assembly summed up the misgivings of many others in words I can quote almost verbatim: "We have exploited fear of the Russians and hatred of communism—which, in my opinion, is entirely justified—as much as we can. European peoples have resigned themselves, though grumblingly and I do not know for how much longer, to lower living standards and to seeing the national economy wrecked by the rearmament effort. A people as profoundly anti-clerical as the French has seen its free schools giving way to Catholic schools. The high hopes of the Resistance period have been shattered and reactionary governments are everywhere in power. All this had been endured only because it was necessary to oppose the Russian threat. But there is a limit to what can be swallowed. We cannot endure to see a Germany that feels no shame for the crimes of the Nazis and no obligation to atone for them, that has changed neither its philosophy nor its behavior, again take the first place in Europe, and likely to become the cause of another war. Do you think the world will go to war so that Germany's pre-1939 boundaries can be reestablished? Or so that the Kaiser's and Hitler's dreams of a greater Germany can be realized with the aid of the United States? The answer is no! Let us do what is necessary to check the Russians, but let us not betray the dead of two wars."

Cynics and Feeble Good Men

BY H. H. WILSON

ONE by-product of the current spate of investigations by Congressional committees, grand juries, and state crime commissions has been a growing awareness that more is involved in these revelations of corruption than the deviant behavior of a few individuals. It was some such realization that prompted Senator J. W. Fulbright, speaking in the Senate on March 27, 1951, to suggest the formation of a "Commission on Ethics" in the federal government. As the result of his speech, Senator James E. Murray, chairman of the Committee on Labor and Public Welfare, appointed a subcommittee to hold hearings and make recommendations to Congress concerning the creation of such a commission. Headed by Senator Paul Douglas, the subcommittee included Senators Matthew M. Neely, Hubert H. Humphrey, Wayne Morse, and George Aiken. With Frank W. McCulloch and George A. Graham ably assisting it as consultants and Philip A. Willkie as counsel, the subcommittee has now filed a report the implications of which are more interesting than the specific recommendations.

There can be little quarrel, however, with the recommendations. Most of them are timely and valuable and warrant early adoption, though since the subcommittee has not by any means completed its assignment, it would be unfair to judge its work at this point. By and large, the recommendations have to do with formal aspects of government and politics: amendments to the Administrative Procedures Act which would tend to establish a higher standard of ethics for federal officials; legislation to compel all members of Congress as well as federal officials to report annually any income received in excess of $10,000; cancellation of contracts corruptly negotiated; and similar remedies. Other internal reforms that might

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have been suggested are the elimination of a seniority rule and the establishment of a panel of chairmen to lessen the possibility of any individual member of Congress having enough power to be worth tempting; a self-denying ordinance which would prevent the attachment of riders to bills; delegation to the federal courts of power to pass on election-law violations; and so on. But as long as there is so little determination to enforce laws already on the statute books—a subcommittee of the Senate has reported that Senator John Marshall Butler violated three or four state and federal laws in his campaign against Tydings, but no action has been taken against him—it is apparent that still more laws will not remedy the situation. Indeed, the report concedes the point: "Veneration for the principle of government according to law has its inverse side—an erroneous assumption that what is lawful is right. . . . [But] legality is not enough."

Since politics is but one phase of the social life of a people, it is not to be expected that reforms in this area will be sufficient. Furthermore investigations too narrowly focused on formal government and politics have their dangers. More is involved, too, in the current concentration on "ethics" than a desire on the part of the Republicans to accumulate ammunition for the 1952 campaign. It is significant that many right-wing journals, news letters, and individuals whose devotion to democratic institutions has not been notable have enthusiastically capitalized on this opportunity to attack Congress and an Administration falsely described as "liberal." In the light of the lessons learned from Nazi techniques in discrediting the Weimar Republic, it is clear that Congress must not permit concentration on the unethical conduct of political or administrative officials to obscure more basic issues.

Part of the current emphasis on "ethics" comes from those who still seek to discredit both the New Deal and the concept of government as a device for meeting society's needs. Thus the *Wall Street Journal* finds that the present "moral decay" started in March, 1933, and stems from the philosophy that "the public treasury belongs to him who gets there first." Although "there was no lack of personal probity among" New Deal officials, it was then "that there was sown, subtle and insidious, the general disregard for the statute books and the orderly processes of law that have brought public morality to its present state." One might have thought that the use of public funds and political influence for private gain had a rather longer tradition, going back at least to Alexander Hamilton's administration of the Treasury and flowering after the Civil War—not to mention Teapot Dome and other scandals of that era. And, after all, the first head of Hoover's Reconstruction Finance Corporation, former Republican Vice-President Charles Dawes, resigned after expediting a $90,000,000 loan to his Chicago bank.

Senator Douglas

For more than half a century we have periodically heard clarion calls from business leaders for moral crusades, "good government," and responsible citizenship, together with pious affirmations of "service" and "trusteeship"; but there is little evidence that anti-social behavior at any level of society has significantly decreased. There seems, instead, to have been an intensification of political apathy and cynicism. The late Willie Moretti stated an extreme but relevant philosophy when he told the Kefauver committee that "everything's a racket today. Everybody has a racket of his own. The stock market is a racket. Why don't they make everything legal?"

Even the *Wall Street Journal* has been impressed by the remarkably successful business careers of some of the racketeers investigated by the Kefauver committee. And the New York *Times* said in an editorial, "One just doesn't know the answer to this question [Moretti's] except as a matter of expediency." As Al Capone observed in circumstances similar to those eliciting Moretti's comment, "What have I done except to supply the demands of our best citizens?" The subcommittee's report notes the same point: "No group in society is in a position to point the finger of scorn at others. Influence peddlers can exist only as long as business men or others are willing to patronize them."

IF WE now wish to reduce the amount of so-called anti-social behavior, it is time we recognized that certain aspects of the social structure generate conditions in which violations of social codes may actually constitute a normal response. Acceptance of this fact, however, is viciously opposed by those who seek to discredit and immobilize representative institutions. In general, strong conservative opposition may be anticipated, since privilege and status are preserved by avoidance of basic analysis, while moral indignation is satisfied by inflicting occasional punishment on those who violate middle-class property codes. Thus it is most unlikely that the Cincinnati business man who launched a chain-letter campaign to boycott payment of income taxes until there is "a thorough house-cleaning of financial corruption in the federal government" would support a similar crusade, say, against those major corporations which have been

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repeatedly convicted of law violation or against business men who seek to buy "influence" in Washington.

Others will charge that convincing evidence of widespread deterioration in social morale is lacking. To these the answer is twofold: that even if we have always had political corruption and ruthless self-seeking in our economic life, we have now reached a stage in our national development which demands the operation of a social ethic; and that the corruption revealed in recent years is more serious because it has sifted down to every level of society, even infiltrating institutions which once served, in theory at least, as guardians of public morals and ethical codes. "Our world," writes Luther Gulick, "has moved so far and so fast in family life, in community life, in work relations, in economic affairs, in international affairs, that the standards of personal behavior which we call morality and the relationships we call religion have had a hard time to keep up with events. . . . America seems to be a nation not only adrift as to moral standards, trying to navigate with obsolete charts, but more adrift now than forty years ago." When it becomes necessary for a police department to issue a handbook to teachers on how to detect the use of narcotics among minors, and to suggest that they report to the police any signs of narcotic addiction among their pupils, it behooves a society to take heed.

The Kefauver committee revealed some fairly sordid conditions, but the facts in the Senate report on "Substandard Housing and Rent Gouging of Military Personnel" are in many ways more significant. Landlords charged members of the armed forces fabulous rents for slightly converted chicken coops, shacks made of whiskey bottles and beer cans, rickety garages, coal sheds, and ice houses. A shrewd clergyman rented a part of some former CCC barracks for $25 a month and sublet it to two soldiers and their families for $148 a month. The rents paid for these hovels, commonly without plumbing or utilities, were often from 100 to 500 per cent more than local civilians had previously paid. These landlords, be it noted, were "little people," not grasping capitalists. In the words of the report, "the only rule of thumb many landlords have heard of is 'get what you can.' " Can a complex, interdependent society continue to operate when such an ethic is widely accepted? Yet with our predilection for a devil theory of social behavior, we continue to focus resentment on individuals and fail to direct it against the imperatives of a culture and a value system which produce this sort of behavior.

A statement by Earl Puckett of Allied Stores Corporation, as reported in *Time*, illustrates another facet of this ethic. In giving "stern" advice to a group of fashion experts, Puckett warned them that "basic utility cannot be the foundation of a prosperous apparel industry. . . . We must accelerate obsolescence. . . . It is our job to make women unhappy with what they have. . . . You might call us 'merchants of unhappiness.'. . . We must make these women so unhappy that their husbands can find no happiness or peace in their excessive saving." Hardly a notable assist in the national fight against inflation!

That even churches are not totally lacking in commercial talent is indicated by a brief account in the New York *Times* of a real-estate transaction in New York City. Having leased a Madison Avenue site ever since 1866, the Roman Catholic Archdiocese purchased it from the city in 1944 for $275,000. In 1950 the city "acquired title to the property for $1,250,000" and began construction of a new public school.

Not even the existence of a national emergency can sublimate this kind of "primary group individualism" to the service of the great society. Thus despite recognition that military security requires the stockpiling of strategically scarce materials, Congress, responding to pressures from Western metal producers, forced the Munitions Board to buy American raw materials. Senator Elmer Thomas put it this way: "We're going to see to it that [the board] concentrates on buying stuff at home, even to the extent of paying more for it here." More recently the National Wool Growers' Association blasted a proposal by Defense Mobilization Director Charles E. Wilson that the government certify a program for the production of a wool substitute to protect the United States both against skyrocketing wool prices and serious shortages.

THIS "sickness of an acquisitive society" is not limited to what is normally thought of as commercial pursuits. The corruption and fever of self-seeking are to be found in all the institutions of society. Most revealing on this score is the General Accounting Office's "Report of Survey . . . Veterans' Education and Training Program." Here may be found examples of how city and state school boards and public and private schools and universities have cheated the Veterans' Administration and the Treasury. The report would make fascinating reading to football and basketball players who have been charged with violating the moral code. With restraint the New York *Times* commented: "Some sharp practices were brought to light to the discredit of more than one educational institution."

Recently Dr. I. S. Ravdin, chief surgeon of the University of Pennsylvania School of Medicine and Hospital, felt called upon to instruct the profession in "the responsibility of the surgeon in modern society." Specifically, he urged the profession to eliminate the following abuses: overcharging of patients for surgical services; performance of "needless operations"; splitting of fees between the internist or general practitioner and the surgeon; calling in consultants in cases where it is unnecessary; "ghost surgery," in which the general prac-

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titioner employs a surgeon to perform operations in cases in which the surgeon had no part in deciding whether the operation was necessary. The Medical Society of the State of New York in May, 1951, adopted a resolution condemning hospitals for extorting "kickbacks" from staff physicians.

When "anti-social" conduct becomes so characteristic and pervasive as this, we must examine the coercive nature of the culture itself. A culture which tries to hide or deny facts by moral pretensions that do not change the facts makes cynics of those who know the truth.

The Kefauver investigations made it clear that aberrant behavior was due less to the lack of an ethical code than to the existence of a code which called for loyalty and responsiblity only toward the individual's immediate group. This is not a response peculiar to "criminal" types. It applies to Congressmen, corporation officials, investment bankers, and ordinary citizens as well. A statement by Henry L. Bogert, a partner in Eastman, Dillon and Company, presented in the government's anti-trust suit against seventeen investment bankers, expressed a fairly common group code. "Courtesy generally requires that you conduct business in a way so as not to make enemies, and if you think that a man, a firm, a friend of yours is engaged in doing a piece of business, it is not quite the polite thing to muscle in and upset the apple-cart." A General Electric official defended Mobilization Director Charles E. Wilson from attack by the N. A. M. in this way: "If they don't want Wilson what do they want? It seems to me that Charlie is trying to save them from themselves. I'm scared to death that some day he will blow up and leave, and if he does, *our* last bulwark in Washington is gone. These boys won't come to Washington to work with Wilson . . . and they won't let him *work for them* in their own best interests."

To ignore these realities is to indulge in utopian escapism or to compound cynicism. Short of a reformation of incentives and values for the individual, the best that can be hoped for is a declining tolerance for the more obvious abuses. As a matter of fact, it is dangerous to raise public expectations beyond this. With Lawrence Frank we must recognize that "so long as our society has no clear aims or purposes but to grant individuals opportunity for self-aggrandizement, there is no reasonable basis for deprecating racketeering."

The basic dilemma derives from the fact that any reform appears as a challenge to those who wield effective power or enjoy privilege in our society. To ask a capitalist society to develop new social organizations, incentives, and values by democratic methods and the application of social intelligence is to ask something rarely attempted and never accomplished. Yet attainment of a viable democratic society requires nothing less. The task will be made more difficult by the fact that for fifteen years we have relied on fear to force conformity; indeed, we live in a society in which personal integrity has become a luxury. Margaret Mead has outlined the task and program which must be implemented in every phase of society: "Those social behaviors which automatically preclude the building of a democratic world must go—every social limitation of human beings in terms of heredity, whether it be of race, or sex, or class. Every social institution which teaches human beings to cringe to those above and step on those below must be replaced by institutions which teach people to look each other straight in the face."

The Record of J. Howard McGrath

BY FOWLER HARPER

THE Attorney General of the United States is the President's chief law officer. As a member of the Cabinet and head of the Department of Justice he is a high policy-forming official. But he does not "practice" law before the courts. The United States district attorneys handle litigation in the lower federal courts, and the Solicitor General represents the government in cases before the Supreme Court.

J. Howard McGrath is now Attorney General. For about a year he served as Solicitor General. The United States has had some very able and some very incompetent Solicitors General, but it has seldom had a worse one than McGrath. After a succession of sorry performances before the court some observers were of the opinion that it might be suggested to the Attorney General on behalf of the court that the Solicitor General should be better prepared when he acted as the government's advocate.

Since 1894 there has been no extended period in which there was not a Catholic on the Supreme Court. When Justice Murphy died two years ago, it was widely rumored that McGrath would get the "Catholic appointment." But for reasons best known to the President the appointment went to Attorney General Tom Clark, and McGrath got Clark's job. Finding himself thus in the runner-up position, it is not surprising that the man who

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as Solicitor General often had difficulty in answering the justices' questions, now regards himself as the leading candidate to become a justice himself.

McGrath came into national public notice as a political liberal. He was a "liberal" governor of Rhode Island, a "liberal" United States Senator, a "liberal" Solicitor General, a "liberal" chairman of the Democratic National Committee. All this, however, was in times when it was politically expedient to be "liberal." Paul McNutt was also a political "liberal." So was Sherman Minton. When McNutt was governor of Indiana, Minton was a hard-hitting attorney for the Public Utility Commission and undoubtedly saved Indiana consumers a lot of money on their electric bills. As whip of the Senate, he was zealous and efficient in pushing New Deal legislation. But since he has been on his own, on the Supreme Court, he has turned out to be the kind of "liberal" that makes one think twice about having a man like McGrath on the court.

Everything about McGrath's career points to the conclusion that by inclination, training, and profession he is not a man to be trusted when political expediency is on one side, political principle on the other. Running for the Senate in 1946, when Ted Green's Democratic machine in Rhode Island was in trouble, he promised to vote for such measures as the Taft-Hartley act. Later he made a good guess as to the side of the bread that would be buttered and followed Green in voting against it. As a Senator he was active in liberalizing the Displaced Persons Act, but he has been savage in the enforcement of the restrictive features of the immigration laws, to the point of hustling a German war bride into an airplane while an appeal to the Supreme Court was pending and the Senate had before it a bill to enable her to remain in the country. Again, McGrath, as National Democratic Chairman, ostentatiously abolished discrimination against Negroes at national headquarters in Washington, but in a speech at Atlanta he denied planning to urge public support for the President's civil-rights program—five days after he had backed it, as party spokesman.

SO FAR as general impressions go, astute and experienced observers in Washington have characterized him as an undistinguished Attorney General, several cuts under Tom Clark. Appointments in the Tax Division are said to have been political to a degree which is novel even in recent years (the income-tax returns of Lamar Caudle, Assistant Attorney General in charge of the Tax Division, are currently under scrutiny). Of course McGrath inherited a mere shambles of what once had been an A-1 agency. Francis Biddle was a good lawyer, a good judge, and a very good Attorney General, if for no other reason—and there are others—than because he selected some extraordinarily able men for the Department of Justice. Clark lost many of the ablest men and replaced them, for the most part, with men of inferior talents. McGrath, by and large, has kept Clark's men or made no changes of any consequence.

The actual administration of the Justice Department was in the hands of the Deputy Attorney General, Peyton Ford, until his resignation last summer. There is evidence that Ford had considerable administrative ability but his political ethics are on a different level. Mr. Ford went out of his way to indorse Senator O'Mahoney's prediction that Judge Delbert Metzger of Hawaii would not be reappointed as federal judge in the Territory. Judge Metzger, it will be recalled, had refused to set bail in the Communist cases there at the preposterous figure set by the Department of Justice, and the Ford-O'Mahoney threat, which was not disavowed by the Department, constitutetd a most effective blow at the independence of the judiciary. As a matter of fact the department admits that Acting United States Attorney Howard K. Hoddick filed an affidavit to disqualify Judge Metzger "at the request of the Attorney General of the United States." This affidavit cited the fact that Judge Metzger had refused to accept the department's suggestion for bail!

Peyton Ford was replaced as Deputy Attorney General by A. Devitt Vanech, who under Biddle had performed mostly humble political jobs for the department. Thus instead of there being, as formerly, a figure-head at the top and a competent administrator to run the agency, there are now two figure-heads at the top.

The Anti-Trust Division needs a crusader, a courageous, competent lawyer with zeal. It once had Thurman Arnold and then Wendell Berge. But the division is now run by a Texas lawyer who was unheard of until he nailed John L. Lewis in a strike-injunction proceeding. The vital position of Solicitor General, which under Biddle was filled by Charles Fahy, now a judge of the Court of Appeals for the District of Columbia, is at present held by Philip B. Perlman. In appearances before the court he has been even less effective than McGrath.

The Assistant Attorney General in charge of the Criminal Division under McGrath should be judged, like the Attorney General himself, by the record. Aside from a certain zeal in prosecuting political crimes, the work of the Criminal Division has been marked by an extreme degree of lassitude. The Assistant Attorney General in charge is James M. McInerney, said to be one of the better men on McGrath's staff. With all its sensational hearings the Kefauver committee added nothing of substance to our knowledge of organized criminal activity across state lines. That race-track gamblers used Western Union facilities and that local gamblers often evaded federal-income-tax obligations were certainly not startling revelations. Indeed, the activities of the gambling syndicate in Rhode Island were well known, in the state and outside, during J. Howard

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McGrath's terms as United States district attorney and as governor. He took no steps to clean up his state when he had the responsibility for it, and neither he nor his Assistant Attorney General in charge of the Criminal Division has shown any disposition to clean up the nation.

The degree of McGrath's zeal for law enforcement is further indicated by the department's policy toward the Office of Price Stabilization. When the price-fixing agency was set up, there was an all-out fight between it and the Justice Department over which should handle enforcement. The usual bureaucratic pattern is that the Department of Justice institutes prosecutions and conducts litigation, assisted, of course, by the department or agency involved. The immediate precedent here, however, was different. Leon Henderson's OPA, with its brilliant general counsel, David Ginsburg, and its tough chief enforcement officer, Thomas Emerson, had handled most of its own litigation—a magnificent job, considering the law it had to work with. It is axiomatic in Washington that an agency which has an emergency restrictive law to administer must have its own enforcement machinery in order to achieve maximum immunity from local political influences. In the fight between the OPS and the department the OPS lost. The record shows that it is departmental policy to prosecute only about one out of every ten referrals from OPS. Granted that an enforcement staff large enough to guarantee prosecution of every OPS chiseler would require a prohibitively high budget, nevertheless a one-in-ten policy gives the food racketeers an unequal advantage in their fight with the consumers. McGrath has waged no headline fight for funds to improve this situation.

McGrath's attitude toward law enforcement in other sensitive areas is reflected in his requests for appropriations. Of an additional thirteen million dollars asked for, he wanted $57,219 for general administration, $5,586,881 for all legal activities, and $4,594,859 for the FBI. Broken down in terms of new positions, the figures give 152 for all legal activities, 56 for the Alien Property work, and 702 for the FBI. These requests are to be contrasted with the number of new positions requested for the Civil Rights section, "to permit us," said the Attorney General, "to engage in more extensive research designed to develop techniques to reduce the number of lynchings, instances of interracial violence, election irregularities, and other civil-rights violations." For this work McGrath wanted thirteen additional positions—eight attorneys and five clerical employees.

Aside from McGrath's dubious record as Attorney General, there is another consideration which has strong bearing on his fitness for the high place to which he aspires. In a recent speech he made a vigorous attack on the principle of separation of church and state, describing it as a distortion of the First Amendment and those who support it as acting in a "spirit of bad taste and bigotry." Between church and state, he said, there must not be "any fence." The implications of his speech were clear enough to arouse the *Christian Century* to demand his immediate dismissal from office and his elimination as a candidate for the next vacancy on the Supreme Court.

THE kind of man McGrath is has been perhaps most strikingly indicated by the recent disclosure of certain events in Missouri made by the Washington *Post* and the St. Louis *Post-Dispatch*. The lid blew off in Missouri when Federal Judge George H. Moore was quoted as saying he had complained directly to the Attorney General by telephone that Justice Department channels for authorizing the St. Louis grand-jury inquiry which finally resulted in the indictment of Collector James P. Finnegan "were dammed up and blocked up." Commenting on the story, McGrath told reporters that if Judge Moore had made such statements, they were "damnable and contemptible lies." Shortly afterward the Attorney General changed his story, apologized to Judge Moore, and admitted the discovery of a forgotten office memorandum concerning Judge Moore's complaint that the department was dragging its feet on the Missouri probe.

It may not be too important that the Attorney General sounded off indiscreetly. His boss has done the same thing with even less justification. But it must have occurred to more people than Irving Dilliard, who edits the editorial page of the *Post-Dispatch*, that McGrath is straining the country's credulity to the breaking-point in asking it to believe that he "forgot." Judge Moore himself said, as quoted by the newspaper: "This is the worst district in the United States to have anything break out, because this is the President's home state and this is the home city of the Secretary of the Treasury [boss of the Commissioner of Internal Revenue]. It would be worse here than any place else in the country."

How could McGrath forget that? Recently Representative John W. Byrnes of Wisconsin demanded a "showdown" on what he calls the persistent failure of the Department of Justice to cooperate with a House subcommittee investigating the Internal Revenue Bureau. And on November 7 the *Post-Dispatch* pointed out in an editorial that "what is needed in Washington right now is an Attorney General who will get down to business and sweep out the Augean stables. J. Howard McGrath is too close to all that has been going on to do the kind of job that needs to be done."

An Administration which considers personal loyalty and party regularity practically the sole qualifications for office may think McGrath in line for the court despite his public record. On the other hand, recent history may catch up with him.

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Florida: Murder Without Indictment

BY STETSON KENNEDY

Eustis, Florida

A QUESTION which must be answered for America and the world is whether or not a sheriff, having in his custody two handcuffed prisoners being transported to a new trial ordered by the Supreme Court, can justify emptying his gun into them with a claim of self-defense. The country's highest tribunal can scarcely permit its mandate to be thwarted in such manner. And in the court of world opinion it will be difficult to convince anyone of the necessity for firing three shots each into two prisoners manacled together. It happened the night of November 6, when Sheriff Willis V. McCall of Lake County, Florida, was transporting Samuel Shepherd and Walter Lee Irvin, both twenty-three, from the state penitentiary at Raiford to Tavares, where the new trial was to be held. Shepherd was killed instantly; Irvin managed to survive, he says, by pretending to be dead.

The prisoners, both Negroes, were sentenced to death in 1949, following conviction on charges of a seventeen-year-old white housewife who first said she had been kidnapped, and then, days later, claimed she had also been raped. One suspect, Ernest Thomas, twenty-six, was shot down by a volley of thirty shots fired by an officer-led and deputized mob. Another, Charles Greenlee, fifteen, was merely sentenced to life imprisonment, out of consideration for his tender age. At the time of the arrests the Ku Klux Klan marched, and mobs set fire to the Negro district before being dispersed by the National Guard.

The case of the "Groveland Three" attracted international attention, and their convictions, upheld by Florida's Supreme Court, were eventually overruled by the United States court on the ground that Negroes had been systematically excluded from the jury, which had also been inflamed by the press.

By killing one of the defendants and nearly killing the other on the eve of their retrial, Sheriff McCall has added another chapter—without precedent for many of its aspects—to the lengthy record of Negro prisoners who have been shot down by officers of the law, ostensibly "in line of duty."

When news of the shooting broke, few would believe the sheriff's claim that there had been an attempted escape, and that Shepherd had struck him with a flashlight. Two days later, when Irvin was able to talk, his story was accepted almost everywhere.

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According to Irvin, he and Shepherd were seated beside the sheriff in his car, and Deputy James L. Yates was in another car several miles ahead. Traveling on semi-deserted clay back roads instead of the highways, McCall first "shimmied his wheels" and announced that he had a flat tire. After ordering his prisoners to get out, McCall, Irvin says, proceeded to fire without provocation, first shooting Shepherd three times, and then hitting Irvin twice.

"I knew I was not dead," Irvin said, but he pretended to be. McCall, he continued, radioed Deputy Yates that the "s. o. b.'s" had "jumped him," and that he had "done a good job getting rid of them." But when Yates arrived on the scene about ten minutes later, he discovered that Irvin was still alive and shouted, "Let's kill him!" Yates then pointed a gun at him and pulled the trigger twice, but it failed to fire. After examining the gun, Yates tried again, and this time succeeded in shooting Irvin through the neck.

Thus there were two altogether different stories to choose between. But a coroner's inquest was held by Judge W. Troy Hall, and for four days testimony and evidence were introduced in substantiation of the sheriff's assertions. Where at first there seemed little or nothing to vindicate his action, there now was a superabundance. No fewer than nine witnesses, for example, "just happened to notice" strands of McCall's hair in Shepherd's hand. And so the case for McCall began to seem either convincing or like whitewash, depending upon how you looked at it.

While coroner's juries are often notoriously inept or worse, few have surpassed the one that heard the case for McCall. Blithely ignoring the contradictions and discrepancies in the evidence, it treated McCall as a beloved guest of honor, inviting him to interrupt the proceedings at any point to "clarify" whatever questions arose. Every witness heard and every piece of evidence introduced tended to vindicate the sheriff. On the other hand, not once did the judge or jury ask any questions which implied credence in any detail of Irvin's testimony. The most significant things about the inquest were the questions not asked and the witnesses not produced.

Here are just a few of the gaping holes into which a federal grand jury might look for evidence that United States civil-rights statutes were violated—an offense carrying a maximum penalty of one year's imprisonment or a $1,000 fine or both.

Hole No. 1. All testimony tended to fix the time of the shooting at about 9:30 p.m. But Prosecutor J. W.

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Hunter was quoted by the press as saying he arrived about ten o'clock, "forty-five minutes after I was notified." In addition, I understand a mother and her two 'teen-aged daughters were found who heard the shots, one of them fixing the time as early as 8.30; but they were not asked to testify. Instead, a fifteen-year-old boy was brought in to say he heard "five or six" shots in a single volley, and none afterward. Entries in the radio log kept at the sheriff's station indicate that Hunter was not sent for until 9:47.

This contradiction might lie behind an enigmatic statement which Hunter read into the coroner's record: "I have attended each of the hearings and have been subject to the orders of Judge W. Troy Hall and have taken such part in this investigation as I have been directed to do by him." The prosecutor, who was confident of reconvicting the prisoners, is reported to have said to the sheriff on the night of the shooting, "Willis, you have —— in my whiskey!"

Hole No. 2. The city councilmen of Umatilla testified that Deputy Yates had interrupted their meeting about ten o'clock to say that McCall had radioed him to find a service station to come fix a flat. Within the next five minutes, they said, another radio call came from McCall, saying he was having "trouble" with the prisoners. The councilmen then went with Yates to the scene, and it was "obvious," they said, that he had not previously been there. The difficulty with this testimony is that the radio log does not show McCall asking for a service station but ordering Yates at 9:40 to "turn back."

Hole No. 3. Mrs. Marie Bowles, editor of the *Lake County News*, told the press that when she arrived soon after the shooting the victims were not handcuffed. Every witness who testified said the cuffs were on, and remained on until ordered removed by Hunter. I asked Mrs. Bowles about this during intermission at the inquest, and she replied, "They positively were not handcuffed when I arrived, I don't care what the others say. But I guess I shouldn't discuss the case, since I am a member of the jury."

Hole No. 4. Officer John Dean, who monitored the Leesburg police radio station after 10 p.m., testified to having overheard the calls recorded in the log of the sheriff's station; but Chief Stevens, who was on duty at the Leesburg station prior to ten o'clock, was not produced to say what he had or had not overheard.

Hole No. 5. No medical testimony was offered at the inquest by the physician who performed the autopsy on Shepherd; indeed, the autopsy itself was not given to the jury until after I inquired, at the last minute, about its whereabouts. To a layman, the course of the bullets in Shepherd's body seems to bear out Irvin's contention that they were fired while the prisoner was half in the car. A thirty-eight slug, subsequently found by the FBI in the ground where the bodies lay, would also seem to substantiate Irvin's claim that some shots were fired as they lay on the ground.

Hole No. 6. I think I am the only person who checked the records of Waterman Memorial Hospital in Eustis to determine the time when Irvin was admitted—11:15. If the "official" 9:30 time of the shooting is accepted, even this means that an hour and forty-five minutes elapsed before Irvin reached the hospital. The hospital is only six miles from the shooting scene, but a Jim Crow ambulance was ordered from Leesburg, more than twenty miles away.

Hole No. 7. McCall and various witnesses asserted that he knew all the while that Irvin was alive; and yet the Orlando *Sentinel* of November 7 quotes Prosecutor Hunter as saying, "Apparently Willis believed the men were dead, but when I looked closely I saw one of them move and I immediately sent for Dr. C. M. Tyre and an ambulance." The next edition of the paper changed the quote from "Willis believed" to "it was believed." When Irvin arrived at the hospital his pulse was recorded as "imperceptible."

Hole No. 8. Several witnesses said they saw the sheriff's flashlight lying on the ground near Shepherd's hand. McCall presented the flashlight to the jury, but no questions were asked as to whether it had been checked for fingerprints.

Hole No. 9. It was testified that some school kids had beaten the G-men to finding several unexploded thirty-eight cartridges at the scene. No one asked whether they bore any marks of a firing pin, which would have been indicated by Irvin's claim that the gun had misfired twice before firing the final shot.

Hole No. 10. The sheriff offered in evidence his coat, pointing to powder burns inside the left sleeve made by a shot which must have barely missed the elbow. Jefferson J. Elliott, special investigator for Governor Fuller Warren, volunteered that this was conclusive evidence that a struggle had taken place. But the burns do not show in the photograph of the sheriff taken at the scene; though it might be argued that they were too far inside the sleeve—just about the only spot, interestingly, where powder burns might occur without appearing in the photograph.

Local sentiment at first seemed to be that it was unsporting of the sheriff to fire three shots each into his manacled wards—it was too much like shooting quail on the ground or ducks on the water. But as the groundswell of national and international indignation grew, the home folks rallied to their sheriff as a means of warding off notoriety from additional investigations.

A first-district meeting of the Florida Peace Officers Association wired McCall: "Proud of a fellow-officer who with courage acted as a peace officer deserving our full comradeship." And the Reverend Lloyd King of Orlando was reported in the press as saying, "It is high

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time sympathy be shown officers who must have difficult duties to do."

McCall himself wound up the inquest by saying reverently, "I know that *my gun* did it all. I am thankful to God that I am here and not in heaven." It may be purely coincidental, but it should be noted that McCall did not say he *fired* all of the shots.

Right now the sheriff is busy riding around his bailiwick in his limousine squad car, tipping his fifteen-gallon Stetson in acknowledgment of the plaudits of his admirers. "I did so hope to see him busted to driving an orange truck," a Negro bystander whispered to me.

Not so discreet was the governor's inspector, Elliott, who in the presence of Stephen Trumbull of the Miami *Herald* told me, "This will reelect McCall for at least three more terms; he didn't have a chance before."

THE BATTLE FOR FREE SCHOOLS

Jim Crow in Education

BY HORACE BOND and MORTON PUNER

DESPITE the fact that the Fourteenth Amendment prohibits discrimination in the public schools, obvious discrimination exists in many public-school systems. For example, in twenty-one states and the District of Columbia segregation is authorized by law. In four of these states—Kansas, Wyoming, Arizona, and New Mexico—segregation of Negroes is permitted but not required. In the other seventeen, segregation of Negroes is mandatory in all public schools and in four of them is also required in private schools. The severity of discrimination in education seems to follow the rule of "high visibility," although there are exceptions based on locality, population concentration, and educational level. The most extreme form of discrimination—physical segregation—is commonly applied only to Negroes, Indians, Orientals, and Mexicans, but a subtler form, expressed in "quotas" and social ostracism, limits the educational opportunities of Jews, Catholics, and members of other religious and ethnic minorities. Discrimination is given added weight, of course, by social and economic disabilities associated with minority status.

Although significant progress has been made in eliminatng discrimination in public schools, the problem is still acute. In the last fifteen years Negroes have won a series of important court victories; nevertheless, the "separate but equal" doctrine is still the rule in Southern and in most of the border states. Differences in per capita tax support for segregated (Negro) and non-segregated (white) schools are still shocking, but the gap is being narrowed. Inequalities in teachers' salaries as between white and Negro teachers have been attacked in a series of court actions with fairly good results. In North Carolina, for example, equalization appears to have been achieved. But not all teachers' salary cases have been successful, and the Supreme Court has yet to pass on the issue in a clear-cut way. Furthermore, since the attack must be conducted on a state-by-state and often on a county-by-county basis, the goal of equality in teachers' salaries is still remote in the South, where of course gross inequality is still the rule. Significant victories have been won in court cases attacking discrimination in higher education, starting with the Gaines case in Missouri in 1938. In this case the Supreme Court established the principle that a state must admit Negroes to all departments of a tax-supported university or provide equivalent educational opportunities. In 1950 the court extended the principle in the McLaurin case (Oklahoma) by holding that segregation in a graduate school cannot be enforced by the device of a barrier rail in classrooms. And in a companion case (the Sweatt case from Texas) the court ruled that it is impossible for a law student to receive an equal legal education in a segregated school despite the fact that the physical facilities may be similar or equal. As a result of these decisions, a few Negroes have been admitted to a fairly large number of colleges, both public and private, which formerly practiced segregation at some or all levels.

The precedent in the Sweatt case has now been made the basis for a frontal attack on the whole system of segregated public schools in the South. In a series of law suits from Texas to Virginia, Negro parents have sued to force the admission of their children to the regular public schools and have consistently demonstrated the gross inequality between these schools and the segregated schools established for Negroes. On June 23, 1951, a special three-judge federal court upheld segregation in the public schools in a decision of far-reaching importance. The case arose in Clarendon County, South Carolina, and was tried in Charleston. The plaintiffs

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were a group of Negro residents who asked the court to invalidate a provision of the South Carolina constitution requiring racial segregation in the public schools. Even before the case was heard, however, Governor James F. Byrnes announced that South Carolina would "reluctantly" close down its public schools rather than abandon segregation.

DURING the trial of the Clarendon case the local school board admitted that the facilities, equipment, and curricula in colored schools were not equal to those in white schools. The board contended that the inequality was the result of limited resources rather than an intent to discriminate, citing as evidence the fact that South Carolina had made provision for a bond issue of $75,000,000 to equalize educational opportunities. The court found that the existing school facilities available to Negroes were not equal to those available to white children and decided that the plaintiffs were entitled to an order directing the school board to make equal opportunities available to Negroes. For this purpose, the court retained jurisdiction of the case and ordered the board to report back in six months on what steps had been taken toward equalization of school facilities. On the major issue, however, two of the judges ruled that segregation of the races in the public schools does not violate the Fourteenth Amendment if the facilities are equal. "Segregation of the races in the public schools," these judges said, "is a matter of legislative policy for the several states, with which the federal courts are powerless to interfere." In their view, segregation in the public grade schools is to be distinguished from segregation in graduate schools, the argument being that an equal education can be provided for Negroes in segregated grade schools but not in segregated graduate schools. Judge J. Waites Waring, dissenting, held that "segregation is, per se, inequality. . . . If segregation is wrong, then the place to stop it is in the first grade and not in graduate colleges. I am of the opinion that all of the legal guideposts, expert testimony, common sense, and reason point unerringly to the conclusion that the system of segregation in education adopted and practiced in the state of South Carolina must go and must go now."

The Clarendon case is the first major test of segregation in public grade schools in the Southern states. Tests of segregation at this level, particularly those arising in the South, have far greater social significance than tests involving segregation in graduate schools. Only a small number of Negroes reach the graduate schools, although the number is steadily increasing, but in theory all Negro children are entitled to enter elementary schools. The factor of numbers alone makes the one a far more significant issue than the other. In South Carolina, for example, it would cost about $40,000,000 to equalize the physical facilities of Negro and white schools, and a United Press survey indicates that it would cost at least $400,000,000 to establish an approximation of equality between the two systems throughout the South.

The Clarendon case will undoubtedly be appealed to the Supreme Court. In the meantime, another significant test of segregation has been made in the state courts of Delaware in a suit tried before Chancellor Collins J. Seitz but not yet decided. In 1950 Chancellor Seitz ordered Negroes admitted to the University of Delaware. In the trial of this case the state superintendent of schools admitted that it was not until after the filing of the first test suits that the state began to make equal amounts of money available to Negro and white high schools on a unit basis—indicating how effective suits of this kind have been in forcing concessions that should have been made years ago. The testimony of Dr. Jerome S. Bruner of Harvard in this case sums up the argument against segregation as well, perhaps, as it has ever been summarized in testimony. "Whether facilities are equal or not," Dr. Bruner said, "the fact of segregation damages the child's capacity to benefit by education." Segregation also leads to "degradation of self-esteem" and to frustration, which in turn "leads to hostility," and this hostility can be turned against the white race or against the self.

The opponents of integrated schools are trying vainly to find some means of circumventing the Supreme Court's decisions on segregation. Georgia, for example, has included a clause in an appropriations bill stipulating that public funds must be withheld from white schools which are forced to admit Negroes as a result of a court order. Governor Fuller Warren vetoed a similar law in Florida. Some Southern communities are toying with the idea of segregating pupils on the basis of sex; others have worked out plans to gerrymander school districts. South Carolina has passed a law permitting school-district trustees to sell or lease school buildings to private institutions or organizations. Southern opinion, as reflected in editorial comment, is strongly opposed to any attempt to abandon segregation in the secondary schools.

Even at the graduate level the South has not become fully reconciled to the notion of integrated schools. The so-called "regional compact," for example, represents an attempt to reverse the trend toward integrated graduate schools. The compact was entered into by fourteen Southern states in 1948 and has since been ratified by a number of state legislatures. The announced objective is to arrange for a pooling of educational facilities in various Southern states so as to insure that every qualified student may receive the best graduate education. Actually the effect of the plan would be to concentrate colored graduate students in a few schools set apart for Negroes. In North Carolina, Governor W. Kerr Scott has proposed a Negro consolidated or greater Negro university that would bring the various Negro colleges into a system that

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would "eventually" be fused with the University of North Carolina. Such plans are defended on the score that white graduate students as well as Negroes could be sent to states other than those of which they are residents if adequate graduate facilities were lacking. But since virtually every Southern state has graduate and professional schools for white students, it seems most unlikely that the regional plan was intended for them. The Maryland courts recently had a chance to pass upon the constitutionality of legislation implementing the compact but limited their ruling to the point that a Negro student must be granted equal facilities in his home state.

Although so far applying only to graduate schools, the pressure of the Supreme Court decisions is constantly forcing the advocates of white supremacy to take absurd positions. Thus to prove that segregated schools are "equal" as well as "separate," Southern communities are in many cases spending large sums for a few Negro schools that can be exhibited as model institutions. Even now one can see such marvels as the new Phyllis Wheatley High School for Negroes in Houston, which cost $2,500,000. This architect's dream of a school is an impressive monument to the willingness of some Americans to pay a premium for the privilege of retaining their prejudices.

OF COURSE it is not the South alone that has a policy of segregation in education. Within a mile of Lincoln University in Pennsylvania, in a township where John Woolman preached the gospel of equality nearly two hundred years ago, a segregated school may be found today. In every Northern state with a large non-Caucasian population, residential segregation almost automatically means educational segregation at the elementary and, frequently, the secondary level. In these areas non-Caucasians often have every disadvantage of segregated schools, though they are prohibited by law.

In some instances, also, public officials of states which prohibit segregation have used subterfuges of one kind or another to maintain what are in effect segregated schools. Gerrymandering of school districts, of course, is a favorite device. The school authorities of a Kansas county used this method to segregate students until the Supreme Court of that state put a stop to the practice in 1949 by ruling that school authorities cannot do indirectly what they are not permitted to do directly. Racial and religious segregation of children in the public schools of Illinois was banned years ago. Yet, significantly, the Illinois legislature found it necessary to enact a recent school-appropriation law denying funds to school districts in which any student is excluded or segregated because of his race, color, or nationality.

Graduation from the ghetto of the segregated school, Northern or Southern, is merely a step toward entrance into a fiercely competitive world where the majority is likely to seize every advantage it can to check the competitive talents of minority group members. The "quota system," used to keep students out of colleges and universities because of their religious, racial, or nationality background, is relatively new in American education—dating from about thirty years back—but it effectively deprives the nation of the services and talents of some of its most ambitious youth. Today the quota system has become so widespread that many students hesitate to apply for admission to certain colleges and professional schools. The system works most severely against Jewish students, although Catholics, Negroes, and other groups are frequently victimized.

A recent study of the American Council on Education yielded this information: Jewish students have to file one-third more application blanks to gain admission to colleges in the Northeastern states than do non-Jews. The accumulation of this kind of evidence, so hard to obtain because few colleges will acknowledge the existence of a quota system, led the American Council and the Anti-Defamation League of B'nai B'rith to convene a series of conferences at which educators were asked to discuss the problem. The first national conference of this kind, held in Chicago in November, 1949, was attended by more than 100 leading educators, who sifted the evidence and then came to these conclusions: (1) there is need for a real house-cleaning by the colleges themselves if the quota system is to be eliminated; (2) there is need for fair-educational-practices legislation of the type which now exists in New York; and (3) there is need for government financial aid to improve the quality and quantity of higher educational facilities if economic barriers to educational opportunities are to be lowered. It might be noted that the President's Commission on Higher Education reported that a case of discrimination can be made out against virtually any private non-sectarian school which includes questions about religion, race, and nativity of parents in its application blanks.

In the school year 1950-51 at least 1,000 Negro students of college and graduate level were attending white Southern colleges. Catholic schools, of college and graduate level, are now generally open to Negro students. Negroes may now enter tax-supported colleges and graduate schools in most of the border states, and it would seem to be largely a question of time until, at this level, the barriers are lowered in the South. The public schools, however, present a much more massive problem. Yet even at this level new social forces are undermining the pattern of segregation. In several suits brought by Mexican American parents in the Southwest the courts have ruled that segregation violates the Fourteenth Amendment. Merely to recite these gains, however, is to indicate that it will be many years before the last segregated school has disappeared. But Southern spokesmen nowadays seldom defend schools in theory; either they admit

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the case against segregation or they contend that the segregated schools can be made "equal" over a period of time. Whereas they now plead for time in which to improve these segregated schools, they formerly would not admit that the schools were unequal or inferior in any respect. The concession is important. For if the schools are unequal, and if the inequality cannot be remedied for twenty or thirty years, then a generation of American Negroes in at least seventeen states will have been denied their constitutional right to equal educational opportunities in all tax-supported institutions. The Supreme Court, it is believed, will never sanction this denial.

Valhalla Rebuilt

BY CAROLUS

Bonn, November 15

WHEN Dr. Adenauer and his friends ask the Western Allies to allow West Germany to rearm, are they thinking solely of making an appropriate contribution to the defense of Western civilization? To answer that question one has only to look closely at the elements in the German social organism which are pressing the demand for German divisions most vociferously.

There are, first, the recently reinstated but, oh, so familiar industrialists, bankers, great landowners, shipping magnates, real-estate speculators, and armament profiteers. All these groups have once again become so rich and arrogant that they need soldiers and machine-guns to protect themselves and their wealth against the poor, the unemployed, the labor unions, and the Socialists who are fighting for wage increases and nationalization of industry. The three-class Prussian state which in 1848 met the people's democratic aspirations with grapeshot was simply putting into practice an old principle of government—that "only soldiers are of any use against democrats."

Secondly, there are the nine million refugees from the east who want to go back behind the Oder-Neisse line, to East Prussia, to Poland, to Silesia, to the Sudetenland and the Balkans. So that "the right spirit" will continue to burn in them, these unfortunate souls are summoned to great mass-meetings every Sunday and are exhorted by government ministers from the Chancellor down to remember their "inalienable right to their homeland." On September 15, at a turbulent gathering of Sudeten Germans at Stuttgart, Dr. Hans Christian Seebohm, Minister of Commerce in the Bonn government, spoke of the "monstrous crime the victors had committed against Germany, Europe, and the whole world." Then this Cabinet minister told his audience how he had answered the French High Commissioner's question as to "whether the Germans wanted to join the West." "Does free Europe want to join Germany?" he had countered. "Germany is the heart of Europe, and the limbs must adjust themselves to the heart, not the heart to the limbs."

The Ministry for General German Questions has officially sanctioned the campaign to regain the lost provinces by sending special propaganda stamps free to thousands of business concerns and tens of thousands of private persons with the request that they be put on all letters mailed out. These stamps show a map of Germany divided by two red lines into the West Zone, the East Zone, and the area given to Poland. Underneath, in bold letters, is the slogan, *"Erst wenn diese Grenzen schwinden, wird Europa Frieden finden"* (Only when these boundaries vanish will Europe find peace).

The temper of the refugees was illustrated by the speech of the Sudeten Catholic priest, Dr. Ott, at the same Stuttgart mass-meeting. After Herr Seebohm spoke, Dr. Ott, now a deputy in the Bonn Parliament, mounted the platform and shouted: "Germans will live through these days and again become the decisive factor in Europe. *Deutschland Ueber Alles!* The last battalion left in Europe will be a German one." The crowd stamped and cheered endlessly. At the party congress of the Christian Democratic Union, the Chancellor's party, it was decided to use only the third verse of "Deutschland Ueber Alles" as the national song, but as soon as the new army comes into being the first verse will again resound through the land.

Another, and not the least important, pillar of the new Valhalla is formed by the surviving generals, colonels, and other officers of Hitler's army, his S. S., and his S. A. It is from them that the officers of the new divisions will be drawn. True, Generals Speidel and Heusinger, Adenauer's military experts who have been negotiating with Eisenhower, took part in the putsch against Hitler in July, 1944. But there are only a handful of such outlaws among the many who were loyal to Hitler. No honors bestowed by Adenauer on the leaders of the conspiracy can wash them clean, whether they are living or dead, in the eyes of the Guderians, Friessners, Ramckes, Manteuffels, and Remers. For most of the old officer corps Speidel and Heusinger will always be traitors to honor, breakers of their oath of obedience to

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their commander. And there are British and American officers, too, who prefer Guderian, Hitler's last chief of staff, to a man like Speidel, who barely escaped hanging.

HOW do these Nazi generals and higher S. S. and S. A. officers occupy themselves now, when they are not writing memoirs absolving themselves and Hitler of wrongdoing? They conspire, they undermine democracy, they found clubs and brotherhoods whose members get jobs in the provincial and city governments, in the foreign service, and especially in the police and the border defense force. No one knows whether the border guard contains ten or twenty thousand men or more. Do the Allied High Commissioners know? In any case it is the nucleus of a new army, and complaints of its Nazi-like behavior have been brought before Parliament by Social Democratic deputies. Marching columns of border guards even sing the Horst Wessel song and the one that starts "Victorious, we shall strike down France." So much of a beginning has been made.

While they conspire and infiltrate at home, these former generals and S. S. officers dicker shamelessly with the Western Allies, which count on their support, and at the same time flirt with the East. In a pamphlet written by General Guderian, their undisputed leader, and widely distributed throughout Germany, an alliance with Russia is plainly threatened if their terms are not met. They rail against the Nürnberg trials, against the "insult to the honor of the German soldier" which the proceedings constituted. Single-mindedly they seek to rehabilitate the reputation of Hitler and National Socialism, to be themselves not only absolved of their crimes against their own people and those of the conquered territories but honored for the part they played in the war.

Encouraged by the call to "defend Western civilization," regarded with favor by the Allied occupation authorities, feeding at the government trough and dipping, too, into the American funds allocated to anti-Communist propaganda, these "old soldiers," as soon as the prohibition against military organizations was lifted, began to found veterans' newspapers and veterans' associations. So many of the latter now exist that I can name only the most important.

The Stahlhelm, formed after the First World War, has been revived—it was thanks to this organization that Hitler came to power and the Weimar Republic was destroyed. Men from the former Greater Germany Division have been organized by General Hasso von Manteuffel, the notorious Panzer corps commander, into an "élite group with the conservative, undemocratic ideas" which the General opposes to the "formal democracy of the West with no ideas." Passing over General Schwerin's protégés, we come to "Papa Ramcke's Green Devils"—the same Ramcke who was sentenced to five years' imprisonment in France for war crimes. Of course General Rommel's old Afrikakorps has its own association, led by General Cruewell, who has a good reputation as an anti-Nazi. In Hamburg, General von Schweppenberg has formed his private German Soldiers' Association; Hamburg is also the headquarters of the German Free Corps, which under Hitler had branches in many countries, one named for Marshal Pétain. The German Soldiers' Bund was founded by Admiral Hansen and the Veterans' Protective Association by General Krakau, who commanded a mountain-warfare division. Krakau has close relations with Franco's Minister of War, General Muñoz Grande, who led the Spanish Blue Division against Russia. Generals Friessner, Seidemann, Harpe, Gille, and Hauser concern themselves chiefly with former S. S. and S. A. men and are known to receive money from Nazi officers and Nazi criminals living in Spain and Argentina. Skorzeny, the liberator of Mussolini, is now a Spanish citizen and helpful in maintaining good relations between Madrid and Bonn. He is not unknown in American military circles in Germany; in fact, when he recently visited West Germany he reported that he was entertained by the Americans.

The attitude of the occupation authorities toward these associations of former soldiers has not been made clear. Only the American Commissioner for Bavaria, Professor George N. Shuster, has taken official notice of them. At a press conference in Munich in August he said their creation was "an entirely clear and natural thing," and he hoped their efforts could be directed into proper democratic channels. The German people, however, are not so sure that all is clear and natural; they strongly doubt that these former Nazi generals have democratic or peaceful aims, and they are especially suspicious of General Friessner, who is trying to unite all the soldiers' groups into one great organization. The prevailing view was well summed up in a dispatch from Bonn dated October 6 in the Basel *National Zeitung*, which is known for its penetrating comments on developments in Germany:

> In dozens of leading articles, comments on the news, satirical poems, letters to the editor, and resolutions, the generals and officers who consciously or unconsciously are advocating a revival of militarism are being called on the carpet in a way to warm the true democrat's heart. This spontaneous public reaction shows that neither the German government nor the Allies, who at first welcomed the veterans' organizations, have kept their fingers on the people's pulse, and that they could gain more support for their policies if they had the courage ruthlessly to stamp out every militarist tendency.

The majority of people in West Germany have responded to the rise of the soldiers' associations by rebelling against the Allies' rearmament proposals. I shall write of this and of the problem of German unification in another article.

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BOOKS and the ARTS

NOTES BY THE WAY

BY MARGARET MARSHALL

THIRTY-SIX years ago, in 1915, the Supreme Court upheld an Ohio statute which permitted censorship of moving pictures on the ground that their exhibition "is a business pure and simple, originated and conducted for profit, like other spectacles, not to be regarded nor intended to be regarded by the Ohio constitution, we think, as part of the press of the country or as organs of public opinion." This ruling, by designating films as spectacles, denied them the protection of the First Amendment. It has never been explicitly reversed, though all of the reasoning underlying the opinion has been held erroneous by the court itself in ruling on other cases. No man in his senses would deny that the film as we know it today is a medium for the communication of ideas; yet the outmoded ruling is still the refuge of the censors.

It is time the issue was once more presented to the Supreme Court for explicit consideration; and it will be so presented, if the court permits, when the decision of the New York State Court of Appeals in "The Miracle" case is brought before it.

The Court of Appeals recently upheld by a majority of five to two the action of the state Board of Regents in revoking licenses (two had been granted) issued by the Motion Picture Division of the Education Department to exhibit "The Miracle." The licenses were withdrawn on the ground that the film was sacrilegious, and the revocation was directly provoked by the pressure of a minority through denunciation and picketing. The minority was Catholic, and Cardinal Spellman was its spokesman; but other Catholics criticized the suppression and the methods used. In brief, "The Miracle" was driven off the screen in New York City by a minute minority of the minority whom it was said to offend. The suppression, incidentally, was rendered ridiculous as well as outrageous by the fact that the film had been written, produced, directed, and acted by Catholics, filmed in Italy, and first exhibited in Rome; that it had run for a year in that Catholic country; and that *L'Osservatore Romano,* the Vatican newspaper, had reviewed it as a work of art without raising any question as to its piety.

THE ARGUMENT in the Court of Appeals revolved around three issues: (1) whether the Regents have the power to revoke a film license or to review the Motion Picture Division's action in granting a license; (2) whether the censorship law as it is construed by the Regents violates the constitutional guaranties of religious liberty and the separation of church and state; (3) whether the law under which the Regents acted imposes an unconstitutional restraint on freedom of expression.

The opinions of the court, both the majority and the dissenting opinions, dealt with all three issues; yet the newspaper account I read was so inadequate that it left the impression that only the first issue was involved, and I dare say most readers got that impression. Needless to say, the dissenting opinion of Associate Judge Stanley J. Fuld was scarcely touched upon. It was impressive as a whole and particularly cogent in its discussion of the question of sacrilege. I have excerpted a few of his remarks:

> Over a century ago, the Supreme Court declared that "the law knows no heresy and is committed to the support of no dogma. . . ." Just as clearly, it is beyond the competency of government to prescribe norms of religious conduct and belief. . . .
>
> The inherent indefinability, in its present context, of the term "sacrilege" is apparent upon the merest inquiry. At what point, it may be asked, does a search for the eternal verities, a questioning of particular religious dogma, take on the aspect of "sacrilege"? . . . Not even authorities or students in the field of religion will have a definitive answer, and certainly not the same answer. There are more than 250 different religious sects in this country. . . . With this great contrariety of religious views, it has been aptly observed that one man's heresy is another's orthodoxy. . . .
>
> [The Regents] nevertheless assure us that "everyone knows what is meant by this term" and by way of demonstrating that fact, proceed to define the word as describing a film which "affronts a *large segment* of the population"; offends the sensibilities by ridiculing and burlesquing anything "held sacred by the *adherents of a particular religious faith*"; is "offensive to the religious sensibilities of any element of society." Indeed, any semblance of either general meaning or specific content is, I suggest, abandoned by the Regents themselves when they assert that since "anything is only sacrilegious to those persons who hold the concept sacred," the opinions of nonbelievers are "worthless." By such reasoning the adherents of a particular dogma become the only judges as to whether that dogma has been offended! And if that is so, it is impossible to fathom how any governmental agency such as the Board of Regents, composed as it is of laymen of different faiths, could possibly discharge the function of determining whether a particular film is "sacrilegious."

If the Supreme Court consents to hear the case, it is the second and third issues that will be stressed in the appeal —and one can only hope that the court will take the opportunity to clarify its own position, and public thinking, on these crucial matters.

If the court should reverse the opinion of the Court of Appeals, films will at long last gain the protection of the First Amendment; and censorship in advance as now exercised by the Motion Picture Division will be, by that reversal, rendered unconstitutional.

"THE MIRACLE" CASE, then, is of utmost importance, and the opponents of censorship should do all they can to see that its importance is widely recognized. The censors and their friends and supporters may be expected to do the opposite; and supporters of the censors are to be found in strange quarters.

One might think, for instance, that the motion-picture producers would have an interest in eliminating censorship. On the contrary, they are so afraid of offending the Legion of Decency and incurring its blackmail in the form of denunciation and pressure—which were so effective in suppressing "The

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Miracle"—that they long ago submitted abjectly to prior censorship in the Production Code and have never challenged the manifest unfairness of denying films the protection of the First Amendment. As for exhibitors, they are stopped by the fear that if there were no prior censorship a film and its exhibitor, like a book and its seller and publisher, could be hauled into court by any Sumner who found a film offensive. This fear has some justification. What the exhibitors overlook is the fact that very few books have been challenged in this way, that the record of such cases shows that judges and juries are more likely to have regard for the principle of freedom of expression than self-appointed censors representing minorities of minorities, and, finally, that books, by and large, are not censored either before or after publication.

Perhaps it is too much to expect producers and exhibitors to rally from their long subservience or to accept, as Gilbert Seldes put it in an article last winter in *The Nation*, the responsibilities which protection of the First Amendment would entail. But perhaps, as he went on to say, Americans who still care for liberty will do it for them. The Metropolitan Committee for Religious Liberty, the American Jewish Congress, and the American Civil Liberties Union have announced their intention of joining in the appeal to the Supreme Court. I hope that other organizations can be persuaded to do likewise.

Foreign Policy and Congress

MASTER PLAN U. S. A. By John Fischer. Harper and Brothers. $3.

THERE is an extraordinary temptation after reading Fischer to think, "Now there is a man who could have written a *better* book." In fact he has written a very good book. He has popularized a thorny subject, American foreign policy, and I cannot imagine a healthier thing than for large numbers of people, confused by the clamorings against Truman, Acheson, and company, to read his exposition. Fischer writes with balance, understanding, clarity of phrase. He shows critical insight into some of the sensitive areas of American life and a firm grasp of the objectives of a foreign policy that is, despite the doctrinaire apprehensions of Aneurin Bevan and the cynical politicking of Joe McCarthy and Robert Alphonso Taft, basically sound. There are, however, weaknesses in what might be called his prognosis.

One of the weaknesses, I think, is a tendency to place an emphasis on Mr. Truman's "failures of leadership" rather than on the lack of responsibility in Congress when foreign-policy issues are up. No doubt we should never have anyone as President less expert than Roosevelt in handling public opinion and explaining delicate issues, but practically speaking I do not know how the objective can be guaranteed. We should be able to expect that Congress will not make foreign policy a partisan issue, and that any member of either party who yields to the temptation should promply be disciplined—by repudiation of his fellow party members if in no other way.

Another weakness of the book may be a reflection of a weakness in our policy. Fischer, like Truman and Acheson, seems unable to decide whether we are trying to foment a people's revolution against the Soviet police state or to find means of coexistence with a Russia not likely, for a long time, to be ruled by any system approximating our own. To contain the Russians by denying them access to territories and warm-water ports they have historically demanded but do not need unless they want world domination is one policy. To stir up rebellion against the Communist dictators—the present ones or their successors—may seem brave and idealistic, but it is a different policy. The issue is not a quibble; as Lippmann has pointed out, dictatorships do not negotiate their own survival. One could ask a little more emphasis on what Fischer himself describes as the "classic example" of how Mohammedanism was successfully "contained" by Christian warriors until eventually its militantly imperialistic doctrine changed into "something less fanatic and aggressive."

On the affirmative side Fischer has done a first-rate job of telling how the "master plan" of America was built, how timorously and by after-the-fact expenditures of energy it was created, and what our objectives are. He brushes aside, naturally, the stupid and evil charge that the very men who have led in creating Western defenses against imperialistic communism are themselves knaves and traitors. He discusses the basic assumptions of our foreign policy—that it would be catastrophic to let Western Europe fall into Russian hands, that the United States has initiated an alliance to forestall this catastrophe, but that we have no intention of using this alliance aggressively against Russia, because the test of the policy's success is the prevention of war as well as to build victory if war should occur.

There is some fine critical analysis of "missing pieces" in our master plan. Half the world's peoples are in ferment, and in January, 1949, President Truman proclaimed a bold new program to help them lift themselves by their bootstraps, but the program is now no longer new and has been something less than bold in execution. Our National Security Council is an effective policy-making institution almost unknown to the public, but it needs better leadership—Fischer means, apparently, a better President, although he certainly doesn't mean Senator Taft. The North Atlantic Treaty Organization is a splendid concept, but it desperately needs some directorate capable of making fast decisions.

Here is the one place where Fischer becomes unrealistic. He believes that federation is the Wave of the Future; so he casually suggests an N. A. T. O. directorship made up of deputy foreign ministers "with full power to act for their countries" on the "whole range of military, political, and economic problems" boiling up every day. If this means anything, it means North Atlantic federation, with an American Deputy Secretary of State given power to commit American resources on a "whole range" of issues. Such an official would not be, in fact, a Deputy Secretary of State but a "Deputy" President, to whom both the elected President and Congress had abdicated. We shall have to find some other way, I am afraid, for the immediate future, including worrying along with Mr. Truman and the Congress actually sitting, at any given moment, in Washington.

A different composition of Congress, irrespective of party affiliation, is always within the realm of the attainable. A change in public attitude toward Congress, so that the members would feel compelled to show responsibility on

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foreign policy, is always a possibility. North Atlantic federation is not, in default of a change in Congress and a change in public attitude.

WILLARD SHELTON

First Novel

LIE DOWN IN DARKNESS. By William Styron. Bobbs-Merrill. $3.50.

THE hard spine of Mr. Styron's novel, extending through its 400 pages from beginning to end, is a funeral procession through a desolate area of Virginia for a beautiful young girl who has committed suicide. In one car is Peyton's father, Milton Loftis, riding with his mistress; in the other car is Peyton's mother Helen, riding with her spiritual adviser, the Reverend Carey Carr. Curving out from this spine, like finely articulated ribs, is an intricately constructed series of flashbacks that fill out for us the story of the Loftis family.

Helen and Milton Loftis have been the parents of two girls; Maudie is a feeble-minded cripple, extravagantly loved unto death by her mother, who at first mistrusts and finally hates her healthy daughter because of the incestuous tinge to the relations between Peyton and her father. Not only the marriage but the entire family fabric is doomed to rot because of the evil in the heart of each member. Milton, childishly daydreaming of impossible political glory, becomes an alcoholic, living on his wife's money, loving his daughter too much, and consorting with a stupid woman. Helen, hating her daughter as a rival and her husband as a drunken weakling, becomes a neurotic invalid, feeding on her own misery like a succubus. For Peyton is reserved the most atrocious fate of all—she goes to New York, where she becomes a Village tramp, a psychotic, and finally throws herself out of a Harlem window.

The final section of the book, a sixty-page interior monologue in which Peyton exposes the dissolution that culminates in her own death is perhaps the most striking, in its negative parallelism of Molly Bloom's positive soliloquy, but it is by no means the only effective portion of a rich and densely written book. There is a prodigality in Mr. Styron's prose, a willingness to take risks in achieving effects, that speaks of a strong and fertile new talent.

Nevertheless, the book is unsatisfactory, and even ludicrous in more than one place, because Mr. Styron insists on investing his corrupt family with a grandiose "significance" which is ultimately meaningless. Helen and Milton Loftis presumably represent the aging lost generation, and Peyton the generation which has not even had the opportunity to lose itself, having no point of departure. But if we ask what might have become of these three if they had had the true opportunity to realize themselves, we can find no answer; for the Loftis family is an essentially uninteresting group, lacking the pathos of estrangement or the tragedy of betrayal. They are what they are, and that is hardly enough for the inflated symbolism of the ambitious narrative.

There has been much written about the precocity and virtuosity of our younger Southern novelists as an isolated phenomenon in need of explanation. But it seems to me that this is merely a reflex of an age in which youthful virtuosity has come almost to be taken for granted, whether on the concert stage, in the theater, on the athletic field, or in the writing of novels. We have reached a point where the glittering manner is only a precondition of genuine accomplishment, and where the matter of interpretation must give us certain unique satisfactions. The undeniable phosphorescent glow of books like Mr. Styron's is utterly insufficient without an original understanding of the world in which the characters move—and this is precisely what is missing in Mr. Styron's otherwise noteworthy first novel.

HARVEY SWADOS

To Italy and Back

IMMIGRANT'S RETURN. By Angelo Pellegrini. The Macmillan Company. $3.50.

ANGELO PELLEGRINI, who emigrated from Italy in 1913 as a peasant boy of nine and who returned to the land of his birth for the first time in 1950, has discovered and recounted something of first importance to him—the meaning of American democracy. The convictions of any one average man may be of questionable interest to large audiences, but Pellegrini, now professor of English at the University of the State of Washington, is

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a kind of quintessence of the average: the most earth-bound, sky-launched Italian *cafone* who has ever struck roots, and deep ones, in this new land.

He is exceptional in two other ways, too: he has never cheaply rejected the land of his fathers, and, a more intimate personal distinction, he is a born narrator. Where others may be tongue-tied despite their inner awareness of the effects of the transition from one world to another, Pellegrini can verbalize and with sure effect.

The basic point of view is sound, though not new:

> . . . among our modest possessions are the usual gadgets which make expatriates and esthetes despair of our material civilization . . . the bathtub, porcelain toilet bowl, telephone . . . thermostatically controlled central heating. We prize these ugly symbols of American culture because they contribute to our cleanliness, well-being, and freedom. . . . Should we ever discover that they are messing up our spiritual life, we will burn the place down and move across the street into a wilderness of maples and alders.

This attitude develops as the author and his wife take ship for Italy and he has a chance to observe the boorish returning immigrants, "pockets full of dollars" who "demand service as if they were kings; but their behavior is that of pigs." (Only an Italian American can write such a book, straight from the shoulder, a book which flays false values and hypocrisies, crudity, self-importance wherever he finds it, whether in Italy, on shipboard, or among the first- and second-generation Italian Americans on whom he casts his special light.)

In Italy, Pellegrini finds himself strangely moved by the tenacity, the millennial will for survival of the Italian peasant, as he seeks him out in the Tuscan countryside of his birth. The impact of his country of origin and especially of its culture, not available to him had he remained a peasant among peasants in his native Casabianca, is convincingly communicated, as is his growing awareness of his "own" land, America, seen thus through the wrong end of the telescope.

Valid observations of what is wrong in the post-war Italian political scene form a too short chapter in the closing portion of the book. Pellegrini has distilled many of the major thoughts of Salvemini and his group and has understood, not only through them but very much on his own, that the vaunted Italian revival is more economic than political, and that at the base there is still essential spade-work of a most drastic kind to be done if democracy is to have true meaning for Italy.

As the author points out in his opening pages, this is not the book about Italian Americans he intended to write at the start of his trip—an important book it would be, too, and one which needs writing. Instead, it is an engaging and at times embarrassing account of a spiritual hegira which, because of its scope and honesty, is very much worth following.

FRANCES KEENE

Before Columbus

INDIAN ART OF THE AMERICAS. Le Roy H. Appleton. Charles Scribner's Sons. $15.

MEXICO IN SCULPTURE. 1521-1821. Elizabeth Wilder Weismann. Harvard University Press. $7.50.

THE unique thing about the civilizations now dominant in the Western Hemisphere is their inexpugnable newness in their present locale. Americans have not, like Europeans, Asians, Africans, grown up with the land they now claim. Water-borne from the older continents, their roots have been put down in this soil hardly more than four centuries. It is true that people lived here before Columbus landed, but their history is not ours. So alien is it, indeed, that we piece together its records only with difficulty. We are spurred by curiosity and a thin feeling of kinship not of the blood but of the place, and what we find is ours not by inheritance but by conquest. Our own primitive cooking pots and grain baskets are not here, but in the caves of the Auvergne or the kitchen middens that underlie Troy.

Particularly in the United States and Canada is this true. From Mexico southward the Spaniard conquered the native, employed or enslaved him, took his daughters to wife in a process of slow absorption. In the north the English and the French expropriated his lands, killed him and his people, drove the remnants on to reservations. There was little mingling of blood. And most white men in the north knew little about what the Indians had developed in the way of culture and cared less.

In the south a few Spanish scholars, recognizing the marvels spread before them, set to studying them. But even there in the clash of cultures the scales were weighted in favor of the Europeans. As Elizabeth Weismann puts it, "They were conquerors, impelled by a habit of conquest; they had mechanical superiority and a tradition of organization; and they were strengthened by their self-consciousness and by their self-assurance. . . . The driving force of their small group struck like a tempered steel blade into the yielding native population."

During the nineteenth century a few private collectors, and an extraordinary group of students in the federal Bureau of American Ethnology, worked to set down as much as they could of the North American record before the advancing settlers should destroy what little remained. But only now have the descendants of English settlers begun to show a general interest in trying to piece together the remnants of native civilizations which their ancestors overran.

The two books under review add their bit to the slow accumulation. Mr. Appleton's "Indian Art of the Americas" is a beautiful presentation which places in perspective the artistic achievements of various tribes from the northern forests, down across the Isthmus, to the jungles, mountains, and pampas of the south. Mrs. Weismann's "Mexico in Sculpture" focuses attention on what happened in one section where native craftsmen worked on European plans for church decoration and religious images. Reading these two books is like scanning the great map of a hemisphere and then turning to the dated and detailed map of a small district.

The first of these—the broad map—brings together extended research in a handsome piece of book-making. Mr. Appleton is a designer, an illustrator, and a cartographer who now acts as art director and vice-president of a firm concerned with the designing and producing of printed matter for business and industry. His skills are apparent in this volume. His interest in Indian art is an avocation encouraged by the late Clark Wissler of the American Museum of Natural History, to whose memory

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the book is dedicated. Dr. A. V. Kidder of the Carnegie Institution has also aided him.

This fruit of twenty years' labor is an informed synthesis of Indian work in the fields of basket-making, weaving, pottery, sculpture, metal-working, jewelry, painting, building, and story-telling. That a man whose basic skill is visual should have thought it vital to include the verbal art is one of the book's most beguiling features. Here are beautiful color plates showing the plastic achievements of tribes grouped according to region; here also are the myths which go with them.

For this lay reviewer, the book's great contribution lies in its scope. Here one gets a whole view of the varied culture of Indian civilizations, north and south, and is able to place in rough relation the skills of the various peoples in their regions. Devotees of this group or that may object that the differences are not as sharply accented by this process as are the likenesses—that the architectural skill of the Aztecs and the Mayas is not pictured, the political artistry of the Incas not analyzed, the quill work of the Blackfeet given too much attention. But the neglected arts can be studied in other books. Mr. Appleton has included an ample bibliography for those who wish more detailed information about any one region. Vast fields of developing knowledge are still to be explored, but here is the whole great map from which to take bearings. Here pre-Columbian America emerges as a pair of connected continents, peopled by industrious tribes having common roots and flowering in diverse ways at various levels of civilization.

Beside this monumental achievement the work of Elizabeth Weismann takes its place as a modest and charming contribution to an understanding of what makes one sector of the continent—Mexico—look as it does today. Mrs. Weismann's basic observation that native forms and native religious symbols were incorporated by Indian craftsmen into the architecture and iconography commissioned by the Spanish conquerors was, of course, anticipated by Anita Brenner's classic, "Idols behind Altars." Her discovery of the timeless quality of Indian sculpture, which makes it "no surprise to find a sixteenth-century stone cross so new it has not yet been installed" is confirmed by every observing traveler.

What Mrs. Weismann has done with grace and learning is to make intelligible, through photographs and analytic description, certain details in the great mass of lavish decoration which overwhelms the visitor on first encounter. The portals, the pillars, the ceilings, the altars of Mexican churches are so rich in decoration as to weary even the most interested eye. It takes a loving and persistent scholar to identify its detail, to point out where Spanish baroque influence prevailed and where, in the cathedral of Zacatecas for example, Indian exuberance dominated. Anyone who has been confused and blinded by the fantastic forms of Spanish baroque and by the "bursts of unregenerate inventiveness" with which native craftsmen modified it when it crossed the sea will want to go back to Mexico with Elizabeth Weismann's book in hand. With her guidance a second look will be enlightening and enjoyable. MILDRED ADAMS

The Views of Nehru

TALKS WITH NEHRU. A Discussion Between Jawaharlal Nehru and Norman Cousins. The John Day Company. $2.

THE utterances of Prime Minister Nehru have a double importance in that he is the world's foremost spokesman for Asia and at the same time an eminently articulate and skilful speaker. This slender volume consists of two tape-recorded conversations in New Delhi early last March which with Mr. Nehru's permission have been reproduced without revision or editing. The fact that he would agree to such an arrangement implies that, though his remarks were extemporaneous, they were at the same time expressions of ideas well thought out. There is, indeed, scarcely anything in the conversations which he has not often said before in his books, speeches, and other interviews.

In such brief space Mr. Nehru could deal with only some of the many subjects which occupy his attention as Prime Minister. As interlocutor Mr. Cousins determined the range of the conversation, and he chose to make it almost exclusively that of international relations, especially those which involve Russia, China, Korea, communism, the role of the United Nations, Indian-American relations. He was not much concerned with internal developments in India or with the pressing quarrels between India and Pakistan. In this respect he reflects the general American interest, which wants to know, not how India is to reconcile its limited food supply with its increasing population, or how it is to achieve a healthy industrialization, or what the structure of political parties should be, or how to satisfy the demands for expanded educational and public-health programs, but instead whether India is for us or against us in the cold war, whether it is for China or the United Nations in the case of Korea, in short, whether it is for Western democracy or for Soviet-style communism. These questions, so engrossing to Americans when they think of Asia, are, it happens, not answerable by simple yes or no because they are not phrased in terms which apply to the Indian situation. Answers, to be rational, require, first, an exposition of India's basic and most immediate problems so as to outline India's fundamental approach to her world position. Prime Minister Nehru endeavored to deal with some of these problems—agriculture, industrialization, the residual resentment in Asia of its long

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subjection to Western colonialism—but before he could clearly describe them was diverted to the other questions.

Nevertheless, remarks of Mr. Nehru's suggest many of the basic considerations. In speaking of democracy, which he enthusiastically champions, he says, "Where, let us say, people are starving the vote does not count." A little later, referring to the primary needs of the Indian people, he says, "It is inevitable that in India, where private resources are not great, any project must be a state project." He adds on the duties of the state, "So far as economic questions are concerned it is a question of a state interfering to protect, rather than keeping away, because in rather undeveloped economies there is a tendency in certain groups of vested interests to override the interests of the large groups by whatever methods they have." Concerning the international implications of India's need to develop its economy he remarks, "The reaction of a newly independent country is not to get entangled" (students of United States history have heard that idea before). In appraising the world situation he remarks, "I should have said that the basic threat today in the world was fear," and to explain Asia's attitudes he remarks, "In Asia the primary problem is, let us say, food or raising terribly low living standards." Communism he sees as not so fundamental a problem as poverty. Further, it is in natural enmity with Asian nationalism:

> Undoubtedly if, as has often happened recently, communism comes not only as an economic doctrine but rather as an extension of imperialism . . . there is bound to be resistance to it, which resistance will grow. . . . In recent years . . . the Communist tendency has come into conflict with the nationalist tendency in many countries—India, Indonesia, Burma, and some other countries. . . . Today in India communism is definitely opposed to nationalism . . . the question is: how far can the nationalist movement go forward in solving some of the urgent economic problems? If it fails, naturally that is an encouragement to Communist ideas. If it succeeds, then communism or Communist ideas in India shrink.

He thinks that China will not live in tutelage to Soviet Russia, but will stand independent. It belongs in the United Nations, since without it—and so too without a small nation like Ceylon, he adds—the United Nations is incomplete. He and India believe that every possible means should be taken to prevent a world war. In international relations it is necessary "to be firm yet courteous and friendly"—this is a Gandhian principle. But there should be no appeasement: "May I say that I entirely agree with you that any peace that depends on the shattering of moral values is not worth having. Ultimately that is not a peace at all. That is just a gradual degradation of the human being or society in the world." Hence the position of India is: "We wish to judge every issue on its merits and the circumstances then prevailing, then decide what we consider best in terms of world peace or our other objectives."

This brief exposition by Prime Minister Nehru of his political philosophy might well be read as a sequel to a study of Gandhi's attitude. In doing so one can see the shift in emphasis from nonviolent resistance, so potent in the struggle for national independence from 1919 to 1945, to emphasis now upon international conciliation as a means of calming an excited world. These have been dominant intellectual concerns in India during the two periods. We could, if there had been more conversations, doubtless have seen also from Mr. Nehru's remarks how the major primary domestic interest has moved from the problem of winning independence to that of preserving and building the new nation.

W. NORMAN BROWN

Books in Brief

FIFTY YEARS OF AMERICAN DRAMA. By Alan S. Downer. Henry Regnery. $2.50. This 150-page book is the first of a series of short studies each of which is to be devoted to a half-century of American writing in one or another of the literary forms. It begins with a chapter on the theater in 1900 and ends with another on the season of 1950-51. The method of the intervening chapters is to choose topics like From Romance to Realism or Folk Drama and to treat each selectively rather than inclusively, with full discussion of typical plays rather than brief mention of many. Professor Downer, who is neither stagestruck nor, like some literary critics, so exacting as to find all Broadway playwriting beneath notice, is guardedly appreciative and guardedly optimistic. His thesis—similar to one preached by Ludwig Lewisohn in the pages of this journal a generation ago—is that a real difference exists between the better commercial plays of nineteen hundred and those of today. The Long-Belasco "Madame Butterfly" was nineteenth-century melodrama which its authors had "draped in a kimono"; Clyde Fitch's plays demonstrate only that "the truth was not in Fitch, nor in the theater for which he wrote." In 1950 even the better commercial plays are still, and necessarily, theatrical, but "they do not simply exploit the theater; they seem to be putting its skills and mechanics to further use." Professor Downer argues his thesis ably and on the basis of a thorough familiarity with his material. Most playgoers will agree with him, and he is probably to some extent right, though it will be impossible to say to just what extent until another fifty years have put the plays of the present day into perspective. Inevitably the conventions, the tricks, and the easy solutions of one's own age seem less crude than those of a preceding generation.

THE DAMMED MISSOURI VALLEY. By Richard G. Baumhoff. Knopf. $3.75. An informative, non-controversial, and simply written survey of the whole problem of the Missouri Valley; an excellent piece of reporting by a member of the staff of the St. Louis *Post-Dispatch.* The author gives us the physical characteristics of the valley, its population trends, its products and resources as the background for an understanding of what has been done and is planned for the integrated development of this vast region—one-sixth of the national area. He ends with the prediction that the ten states of the basin with federal participation will set up a centralized, unified, regional management of planning, construction, and operation, which will operate not as a super-state but as a purely functional mechanism.

MUDDY WATERS. By Arthur Maass. Harvard. $4.75. An analysis of the present situation in the development of American water resources, with the army engineers cast in the role of villain. The author makes a convincing case but

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narrowly limits its usefulness by presenting it in a style that suggests the cross-fertilization of a college textbook and a government report. Foreword by Harold Ickes.

AMERICAN FOREIGN POLICY. By Luther Halsey Gulick. Duell, Sloan and Pearce. $3.50. A detailed survey of what we are now doing with our forests and of the steps that will best conserve and utilize them. Neither alarming nor optimistic, but a sensible, down-to-earth study invaluable for everyone interested in the subject.

Films

MANNY FARBER

"DETECTIVE STORY" spends a day in a precinct squad room, making it jump with hokum, "business," and the acrobatic mugging of a horde of aggressive actors, all of whom have wonderfully sculptured faces. Though the station house is realistically crummy—as any New York set should be but almost never is—the camera man, Lee Garmes, in an effort to instil some outdoor excitement into an indoor stage play, has pumped it full of a curious gray mist. Mist or no mist, the squad room is the most credible thing you're going to see in this high-powered, entertaining piece of histrionic schmaltz. Through the station door—which bangs back and forth, back and forth, until at last, exactly as anticipated, its bangs some poor cop in the behind—swarm riffraff, the mulcted, mouthpieces and minions of the law, each a walking caricature in physiognomy and mannerism of certain familiar Manhattan types.

Among this traffic is a string of recent Broadway exiles: Lee Grant as a man-hungry shoplifter with a sinuously unfeminine wriggle, a parrot-like head thrust, and some other not quite hilarious tricks which she moiders along with her East Side dialect; Joseph Wiseman, a degenerate cat-burglar who sweeps into the familiar Jewish palms-up gesture as no man ever did before—yet he seems to have genuine pool-hall cynicism and chilling scorn for the "artists" with whom he is working; Michael Strong, Wiseman's dumb crony, who crosses the affectations of a slack-jawed delinquent with those of a hep-cat, doing this with a glib exaggeration that makes actor seem more confused than character. While these evildoers are booked and printed by grumbling detectives, they are jumbled into a mass of lively movement designed to make you laugh—sentimentally—at Bronx-Brooklyn-East Side deficiencies.

The central figure in the crew of suffering, sweating cops is Kirk Douglas, a one-man army against crime who in the course of the day third-degrees a lot of crooks, discovers his beloved wife is not so immaculate, goes off his rocker, and dies walking into the bullets of four-time-loser Wiseman. Douglas's mad-dog style of acting is bound to make any character into a one-sided surface of loud-pedaled ugliness. In this instance, his stiff-lipped biting off of dialogue, his muscle-bound strut, his grotesque posturing, complicate a character already cluttered with the snapping documentary facts that Sidney Kingsley has dredged from three years of research in New York precinct stations.

The casting of gymnastic-minded Douglas for the rigid, unmerciful cop's role is a puzzling one, since both Kingsley and the producer-director, Wyler, are trying in a wrangling hit-or-miss manner to give some understanding of the psychology of an authoritarian sadist. And yet it isn't puzzling at all when you remember (a) that Douglas is top box-office these days and (b) that he has been built by Hollywood, film by film, into the cine-symbol of the Hollow Man who flies high, blind, and arrogant above the rest of us until the poison vapors of our rotten society at last reach his innards and bring him, too, cringing, crumbling, squirming to earth. (Question: Is our society rotten because there are too many honest cops running around? Is it the honest cop, as a matter of fact, who has been blowing his brains out lately? Question: Could misanthropic film-makers peddle this nonsense without a Douglas—or before him, a Widmark, before that, a Muni—to serve as chief huckster? I wonder.) The cop dreamed up for us by Douglas, Wyler, and Kingsley is developed no more than one inch below the surface. For no other reason than that he has been uncharitably tough and just, he suddenly starts screaming and doing silly things like wanting to cut out his brain, take it in his hand, and examine the "dirty pictures" put in it by his wife. (The emptied skull is one of Kingsley's many images of hollowness; others are bells, graves, ticking meters, and gaudiest of all, the cop's stomach—in which, according to Douglas, there stands some "pore little guy"—that is to say, his criminal father—laughing and crying with scorn and pity.) What all this "meaningful" color adds up to is total confusion, even unto the hammy death scene when you are finally given to understand that Detective McLeod, if he had it all to do over again, would have gone about it more like one of Harry Gross's friends and less like Johnny Broderick.

The movie's big item is the crack-up of Douglas's marriage to Eleanor Parker, a tremulous actress with a genius for finely shaded whimpering, bawling, tense-legged walking. Kingsley bears down on the emotions, words, and thoughts of these two as sadistically as his belligerent hero pursues the criminal abortionist, who, it turns out, once did a small favor for Mrs. McLeod. With stricken face and trembling lips Douglas will mention that he's afraid to go home armed if his wife isn't there, while Parker, with her insidiously flexible lips, talks constantly of being unable to go to sleep without Douglas's arms around her. Then he learns the awful truth about her. There has never been anything, for theatrical agony, like the stricken faces, clenched hands, and

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agonized hate-poetry that ensues between the two.

"Detective Story" is far more absorbing than some equally lurid message melodramas ("Day in the Sun," "Streetcar") now being touted for the Academy award. But it plays the same hoax on its audience, transforming a sordid locale with full-color effects that seem so wrong one suspects a writer and director of selling out everything they know in order to dislodge the spectator's eyeballs—and reason.

Music

B. H. HAGGIN

IT LOOKS as though Toscanini will conduct until he is ninety after all. He has returned with his knee trouble miraculously vanished, his powers not only undiminished but operating with amazing energy in recording sessions, rehearsals, and broadcasts. Amazing too has been the relaxed state of mind and emotions that has been evident in those operations—for example, in the unhurried performance of Prokofiev's "Classical" Symphony, the almost casual achievement of the magic that is terrifyingly difficult to achieve in Berlioz's "Queen Mab." Once more I was struck by the difference between the Toscanini and Koussevitzky statements of Prokofiev's symphony: Koussevitzky's all sound, miraculous in its refinement, radiance, and incorporeal lightness, and as such one of the wonders of modern orchestral performance; Toscanini's a wonderfully clear texture of strands wonderfully enlivened by sharp inflection, and—it now seems to me—the correct treatment of this music.

In Handel's "Acis and Galatea," which the Little Orchestra Society presented at its opening concert, one heard not the grandiose writing of the better-known choral works, but for the most part a lyricism which ravished the ear and touched the heart. And though the loveliest and most expressive singing of this music was that of Ann Ayars, there was beautiful singing also by the other soprano soloist, Suzanne der Derian, when her voice warmed up, and musically intelligent use of a tenor voice of no great sensuous beauty by John Druary; while in the more vigorous and dramatic passages one heard the rather rough-textured bass voice of Kenneth Smith used with superb style and bravura that won him the loudest and longest applause of the evening after the aria *O ruddier than the cherry!* The singing of the Hufstader Singers and the playing of the orchestra under Thomas Scherman's direction were undistinguished.

Urania has issued a recording of "Der Freischütz" which enables those of us who know only the Overture and Agatha's arias to hear the other melodic passages that delighted Berlioz with their freshness and the Wolf's Glen scene that was strikingly original in Weber's time and retains its dramatic power today. But we hear the music sung badly or not agreeably by most of the principals—Bernd Aldenhoff, Elfride Trötschel, Irma Beilke—in the Dresden Opera performance; and there are cuts in the dialogue which obscure the action, with the libretto creating additional confusion.

Decca's recording of the same work offers much better singing by August Seider, Maria Müller, and Carla Spletter, but in an atrocious abridgment which slices passages out of the arias and the Wolf's Glen music. Surfaces are a little gritty.

I find the German words and German voices disturbingly incongruous with Tchaikovsky's music in the Urania recording of "The Queen of Spades." In addition the tenor Rudolf Schock and the soprano Elisabeth Grümmer have beautiful voices but faulty technique that makes their upper range tremulous and unpleasant and the soprano Anneliese Müller is tremulous throughout (but the singing of Margarete Klose and Hans Heinz Nissen is good). And much of the music is reproduced with a hash of high-frequency distortion. Again there are cuts, which are not indicated in the English text.

The German words and voices—except the light soprano of Irma Beilke—are incongruous also with the engaging music of Auber's "Fra Diavolo" in Urania's recording of the Dresden Opera performance conducted by Elmendorff. But I might add that they happen to be the very good German voices of Hans Hopf, Lorenz Fehenberger, Gottlob Frick, and others; and that the orchestra plays excellently.

But in Hugo Wolf's "Der Corregidor" the vocal writing, as in his songs, is like an extension of the German words, shaping itself around them to point up their sense; and it is writing I enjoy more in the opera than in the songs. In any case I would enjoy the superb singing of Josef Hermann, Margarete Teschemacher, Karl Erb, George Hann, and others in Urania's Dresden Opera performance conducted by Elmendorff. There are large cuts in the last act that are not indicated in the libretto.

I will report soon on the recordings of Mozart operas, which were late in arriving.

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WILLARD SHELTON was formerly *The Nation's* Washington correspondent.

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Letters to the Editors

In Defense of the I. P. R.

[*The writer of the letter printed below joined the Indian Council of World Affairs as a research associate in March, 1948, and helped to prepare "India in World Affairs, 1946-1950." He is now studying at the Walter Hines Page School of International Relations, Johns Hopkins University.*]

Dear Sirs: In his recent testimony before the Senate Foreign Relations subcommittee Harold Stassen charged that certain individuals belonging to the "Lattimore group," persons like Lawrence K. Rosinger, for example, sought to discredit the Nehru government and thus pave the way for the spread of communism in India.

Many of us in India take a different view of these men and their work. The Institute of Pacific Relations and the members of its staff enjoy a high reputation in educated circles in India as impartial and scientific scholars. The Indian Council of World Affairs, New Delhi, is India's national council for the international institute. In December, 1949, the two organizations sponsored the non-official India-America Conference in New Delhi, which tried to clarify the issues facing the two countries. The American delegates, who were nominated by the I. P. R., included Mr. Lattimore, Mr. Rosinger, and other representatives of universities, business, the press, and the professions. These delegates made an eloquent case for the United States to the people of India. On more than one occasion the Indian delegates, who vigorously criticized the United States, were placed on the defensive. The delegates nominated by the I. P. R. to the non-official Pacific Relations Conference held in Lucknow, in October, 1950, turned in a similar performance.

Apart from holding these conferences, the Indian Council has utilized every opportunity to interpret America to the people of India. In articles published in its journal and at meetings held in different parts of the country, it has explained American policy on various international issues. More than once the Indian Council has lent its facilities to various spokesmen of the United States, including two American ambassadors to India. Speeches delivered under the auspices of the council are widely reported in the Indian press, whereas the efforts of the United States Information Service to reach the Indian public directly are rarely successful. The Indian Council works in close cooperation with the I. P. R. Some of its activities have even conveyed the impression, at least to a few in India, that the Indian Council is a pro-American institution. Yet in America one hears the accusation that the Indian Council's American counterpart is engaged in un-American activities! Small wonder, then, that a distinguished Indian, who contributes not a little to foreign policy-making in India, should have said: "If these great scholars are considered un-American, it means that something has radically gone wrong with Americans."

During the past two years I have studied closely what was being written about India in this country. I came to the conclusion that Lawrence K. Rosinger was the most reliable American scholar on the contemporary political scene in India. I saw nothing in his writings which could be considered an attempt to discredit the Nehru government. If some American writers point out weaknesses in the Indian political structure, we welcome such criticism. There are many things which America can give to India, and the most important of them is the sound advice of detached students of international affairs.

What we cannot understand, however, is the attitude of persons like Mr. Stassen, who although they express concern over Indian-American relations, frankly advocate an American foreign policy which is hostile to everything India stands for.

Indian-American understanding is not furthered by the irresponsible attacks on organizations like the I. P. R. and on scholars like Mr. Rosinger, or by the insistence of a group of people in this country that America must follow a policy based on pure force even if it means "going it alone."

There is an implication in Mr. Stassen's testimony to which an Indian is bound to take exception. This is the notion currently held by some persons in this country that America can determine the course of events in Asia. Great and powerful as this country is, we in India cannot help feeling that important developments in India will mainly be the product of the internal forces of that country; America may try to avert these developments, but it will not succeed.

Baltimore K. P. KARUNAKRAN

Was Oatis Guilty . . .

Dear Sirs: The *National Guardian* did not see the entire transcript of the Oatis trial, but its correspondent in Prague, George Wheeler, sent us many portions of it. We are at a loss to understand how Mr. Fly in his article, The Oatis Trial, in the October 6 issue of *The Nation* can offer as an "analysis" an article which totally ignores these points:

1. Oatis admitted receiving directives from, and giving military information to, the United States military attaché in Prague. It is highly misleading to write what purports to be an analysis of the trial record in which this fact is not mentioned and in which Oatis is portrayed as "just a reporter openly doing a routine job."

2. Produced in evidence against Oatis was an identity card "issued at the Military Espionage School, Fort Snelling, Minnesota," where he was said to have studied under a "Colonel Rasmussen." The *Guardian* is not, of course, in a position to know whether this card and "Colonel Rasmussen" are genuine. But what sort of analysis of the trial record is it that simply ignores the existence of this evidence and flatly states: "Oatis was not trained as a spy; he was not even trained as an intelligence officer"?

We are of the opinion that publication of Mr. Fly's article as an authoritative analysis of the trial record which your readers have not seen is not in the fair and justly respected *Nation* tradition. Surely your readers have the right to know what the specific charges were to which Oatis confessed; and what Mr. Fly's facts are in disproof of Oatis's own statement that he had been trained for intelligence work and that he had given secret military information to the United States military attaché.

I think Mr. Fly also owes it to *Nation* readers to give his theory—I presume he has one—of why Oatis acted as "a free, intelligent man, unfettered and uncoerced, simply does not act." George

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Wheeler, an exceptionally careful and accurate reporter, who had known Oatis as a fellow-correspondent in Prague, described Oatis in court as "about twenty pounds heavier than when I last saw him. . . . He spoke with a firmness and coherence contrasting with his former habit of trailing off sentences. . . . When at one point they asked him if he was tired, he said 'somewhat', and they called a recess."

Admitting in our story that "only a handful of persons in the United States know positively whether Oatis is guilty," the *Guardian* advanced as a *possible* theory that Oatis repeated in court the confession he made before the trial because the evidence of guilt with which he was confronted was overwhelming. In connection with theories about how false confessions may be induced, we referred to the Trenton Six case, in which six Negroes "confessed" to a murder of which, after three years in jail, they have been found totally innocent. The "confessions" in that case were induced by drugs, ill treatment, and threats; yet they were all repudiated the moment the men got into court.

We still feel that a plausible theory is called for to substantiate the belief that people who confess crimes in open court in Eastern countries never committed the crimes. Apart from clearing the air for Westerners striving to stay sane in an era of official witchcraft, a description of how this is done would be greatly prized by the authorities in, for example, Trenton.

CEDRIC BELFRAGE
Editor, *National Guardian*
New York

. . . or Not Guilty?

Dear Sirs: In reply to Mr. Belfrage may I point out that normally admissions in a trial in such a milieu as that surrounding the Oatis trial are open to question. In this case the defendant went to the extreme of repeatedly and glibly asserting that the whole Western press and diplomatic corps were one web of espionage. This was such a startling and sweeping assertion as to logically invite rejection.

The word "espionage" everywhere is thought of as a general conclusion. There is no proof of such a conclusion except by concrete facts, which at the Oatis trial were not produced. Behind all this was the incommunicado status and inability to select counsel. In the process of logical deduction my own mind cannot accept the claim that guilt was proved.

The State Department's pamphlet on the trial denied that Oatis was a spy and points out that the school Oatis attended in the army was of the type used in training officers for military government. But even if Oatis was trained in espionage, it would not follow that in civilian life he continued to be a spy. Again, to establish this point one must rely upon the superficial generalities of the defendant.

Although I did not state the specific charges to which Oatis confessed, I did give *haec verba* the various points confessed. I could not give more because specific facts were neither charged in the indictment nor proved in evidence.

In Trenton, as in every other court in America, a prisoner mistreated becomes a free man in open court. Here he has all the protection of our legal system. Does Mr. Belfrage believe that a defendant in a Communist trial has the same protection and safeguards?

I am as deeply concerned about official witchcraft as Mr. Belfrage. Whatever we can do to bring sanity and responsibility in this critical area we ought to do.

JAMES LAWRENCE FLY
New York

Conformity in the Schools

Dear Sirs: I liked Goodwin Watson's article in your November 3 issue, but when I got to his proposal to bring in Communist teachers, I began to wonder if he wasn't writing for the wrong magazine—seemed more like science fiction.

There is no new resurgence of restrictive practices and intimidation in our school system today. It has gone on for a long time. Yesterday it was the Quakers, Mormons, Abolitionists, Anarchists, and Wobblies. Today it is the Communists or whoever is thought to be a Communist. Actually, the going is not yet as rough for the Communists as it has been for others. But on the whole American teachers have never dared speak out on controversial matters—and generally haven't wanted to. The few teachers that "dared venture to the end of their tether" were fired.

"Many teachers are unaware that curbs exist." Exactly. The kind of person who gets hired as a teacher—and stays hired—is aware of very little. That is the way Americans have always wanted their teachers.

The basic fallacy of educational theorists from John Dewey down is an equation of education with our public-school system. Nobody with a realistic grasp of social dynamics can be made to believe that the public schools are a lever of social reconstruction. Actually, there is only one subject in the whole curriculum—conformity. In practice the function of the schools is exactly what the progressive educators call for—learning by doing. Learning to conform by conforming. When our children get old enough to go into an office or factory or battle, most of them will do as they are told and like it.

This may sound a bit extreme to some, and others might think I am against progressive education. The trouble with it is that it is not progressive enough.

Lynn, Mass. JOHN GARDNER

Information Sought

Dear Sirs: I am a candidate for a Ph. D. in political science at Rutgers University. The topic of my doctoral dissertation is the political theory of Benjamin N. Cardozo. If any of your readers have letters by Cardozo, or other material about him, I should be obliged to have them get in touch with me at 44 Lincoln Avenue. DAVID MARS
Highland Park, N. J.

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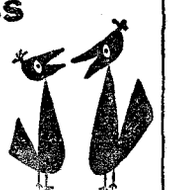

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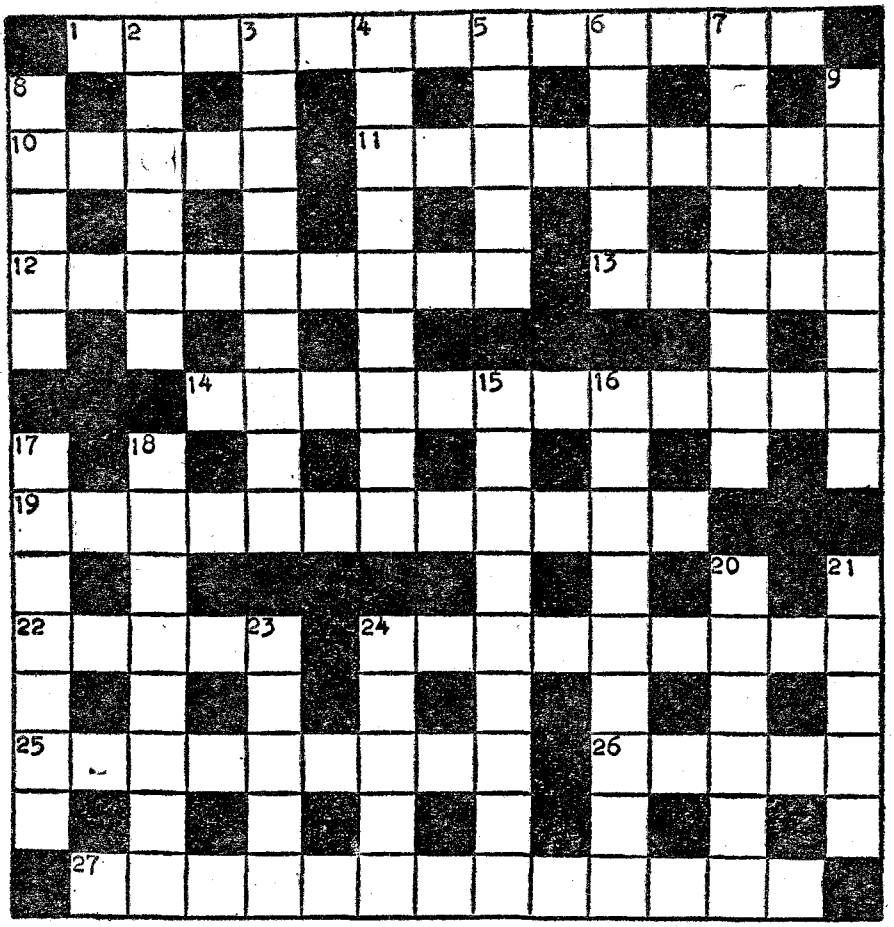
Crossword Puzzle No. 440

BY FRANK W. LEWIS



ACROSS

1 Skylark, albatross, or any other mentioned by the writer? (4, 2, 7)
10 Beware! A missing composer is found. (5)
11 Get me mortals out of it. (9)
12 Scissors and jackknives, perhaps, that don't cost anything? (9)
13 Look with anger at this river. (5)
14 Such offerings certainly don't make for amateurish standings! (12)
19 Wallow with heaviness just below the middle. (12)
22 The first name of Colonel Merriwell. (5)
24 A layer might also. (9)
25 Another name for 17 should enable you to place this at Romania. (9)
26 Can it be attributed to a burning desire? (5)
27 Clover rations are not completely accepted this way. (13)

DOWN

2 Saturated. (6)
3 Nightmare? (Harry Lee would certainly not be associated with it!) (4, 5)
4 An unlikely place to find Stevenson's blind man, even if he did belong to it! (6, 3)
5 No gentleman goes out with cadavers! (5)
6 This plant is responsible for many lines. (5)
7 A strong point for men or grains. (8)
8 Fast example of 1 across. (5)
9 Did this school give the Rams a battering? (7)
15 A fine figure of one of the British Queens? (9)
16 A mix-up that is in a group of islanders. (9)
17 You might call your 25 this pie. (7)
18 Straight, since it's graphite. (8)
20 The rest of our southern neighbors should be refreshing, too! (6)
21 Suffering the end of 18, briefly stated. (5)
23 Things that might 24 across might also this. (5)
24 Would the Italian chef understand it if you wanted your steak well done? (5)

• • • • •

SOLUTION TO PUZZLE No. 439

ACROSS:—1 INTIMATION; 10, 5 and 24 THE LAST OF THE MOHICANS; 11 THOREAU; 12 PORTHOLE; 13 CHILD; 17 THURINGIA; 19 MISTLETOE; 21 SEPAL; 23 RIATA; 27 ICEBERG; 28 CHARADE; 29 RUSH; 30 ACCLIMATED.

DOWN:—1 IOTA; 2 and 14 THE MORE THE MERRIER; 3 MEANT; 4 TIT FOR TAT; 7 VEERING; 8 ROUND TABLE; 9 CONCEITS; 16 SALVAGES; 18 UNETHICAL; 20 SHAKERS; 22 PENNANT; 24 MAGIC; 25 CLAIM; 26, 6 and 15 HEAD OVER HEELS.

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